BEFORE THE BOARD OF OPTOMETRY DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA

In the Matter of the Petition for Reduction of Penalty or Early Termination of Probation of:

DAVID MURIS, O.D.,

Optometrist License No. 5059,

Petitioner.

= - (V)

OAH No. 2011060856

Agency Case No. CC 2006-96

DECISION

A quorum of the Board of Optometry (Board) heard this matter on June 21, 2011, in Los Angeles, California. The members of the Board present were Lee A. Goldstein, O.D., President; Alejandro Arredondo, O.D., Vice President; Donna Burke; Monica Johnson; Alexander Kim; Kenneth Lawenda, O.D.; and Fred Naranjo.

Jessica Sieferman, the Board's Enforcement staff was also present during the proceedings.

Daniel Juárez, Administrative Law Judge with the Office of Administrative Hearings was present at the hearing and during the consideration of the case, in accordance with Government Code section 11517.

David Muris (Petitioner) represented himself.

Michelle McCarron, Deputy Attorney General, represented the Attorney General of the State of California, pursuant to Government Code Section 11522.

The parties submitted the matter for decision, and the Board decided the case in executive session on June 21, 2011.

FACTUAL FINDINGS

1. On or about December 15, 2010, Petitioner filed the Petition for Reduction of Penalty or Early Termination of Probation. Petitioner seeks the early termination of his five-year probation. He contends it is appropriate to end his probation early because he is sufficiently rehabilitated from the earlier transgressions he committed.

- 2. The Board issued certificate of registration to practice optometry number 5059 to Petitioner on or about April 24, 1969.
- 3. In approximately August 2007, the California Attorney General's Office filed an accusation against Petitioner alleging that from approximately 2000 through 2006, Petitioner was involved in the development and marketing of a system of eye improvement exercises called the "See Clearly Method," a system that is not accepted in the scientific community or supported by peer reviewed scientific studies.
- 4. In a Stipulated Settlement and Disciplinary Order, effective October 9, 2008, Petitioner agreed that the charges and allegations in the accusation, if proven at hearing, constituted cause for imposing discipline on his certificate of registration. Petitioner gave up his right to contest that cause for discipline existed based on the specific charges and agreed to subject his certificate of registration to discipline and to be bound by the Board's disciplinary order.
- 5. The Board revoked Petitioner's certificate of registration, stayed the revocation, and placed the certificate on five years probation upon various terms and conditions.
 - 6. Petitioner's probation is set to continue until October 9, 2013.
- 7. Petitioner has had no connection with the See Clearly Method system in the last five years. He understands the Board's concerns with his involvement in that system and has ensured that, in his practice, he will no longer involve himself in similar ventures. He has and will continue to practice within the standard of care. Probation has given Petitioner greater compassion for his patients and his office staff. Petitioner has cooperated with the Board and has complied with all probationary terms to date. There has never been a claim of optometric negligence regarding his patient care in his 41 years of practice. He has undertaken the required ethics course. Petitioner has undertaken a significant number of continuing education hours between October 2008 and December 2010 (approximately 87 hours).
- 8. Petitioner has continued to practice in Sacramento, California, but he has found it difficult to keep patients who have insurance coverage for optometry services, because the main insurance provider does not reimburse services by practitioners on probation.
- 9. Petitioner submitted 28 letters of support, including letters from patients, colleagues, peers, employees, friends, and family members. Each author generally described Petitioner as a good person who has learned from his mistakes, a hard worker, and someone who is deserving of practicing optometry without restrictions.
 - 10. Petitioner appeared remorseful at hearing.

LEGAL CONCLUSIONS

- 1. Cause exists to grant Petitioner's Petition for Reduction of Penalty or Early Termination of Probation, pursuant to Business and Professions Code section 11522, as set forth in Factual Findings 1-10, and Legal Conclusions 2-5.
- 2. Petitioner bears the burden to prove, by clear and convincing evidence to a reasonable certainty, that the Board should grant his petition. (*Flanzer v. Board of Dental Examiners* (1990) 220 Cal.App.3d 1392, 1398; *Housman v. Board of Medical Examiners* (1948) 84 Cal.App.2d 308, 315-316.)
 - 3. Government Code section 11522 states in pertinent part:

A person whose license has been revoked or suspended may petition the agency for reinstatement . . . after a period of not less than one year has elapsed from the effective date of the decision or from the date of the denial of a similar petition. The agency shall give notice to the Attorney General of the filing of the petition and the Attorney General and the petitioner shall be afforded an opportunity to present either oral or written argument before the agency itself. The agency itself shall decide the petition, and the decision shall include the reasons therefor, and any terms and conditions that the agency reasonably deems appropriate to impose as a condition of reinstatement.

4. California Code of Regulations, title 16, section 1516, states in pertinent part:

- (b) When considering the suspension or revocation of a certificate of registration on the grounds that the registrant has been convicted of a crime, the Board, in evaluating the rehabilitation of such person and his/her present eligibility for a license, will consider the following criteria:
 - (1) Nature and severity of the act(s) or offense(s).
 - (2) Total criminal record.
- (3) The time that has elapsed since commission of the act(s) or offense(s).
- (4) Whether the licensee has complied with any terms of parole, probation, restitution or any other sanctions lawfully imposed against the licensee.
- (5) If applicable, evidence of expungement proceedings pursuant to Section 1203.4 of the Penal Code.

- (6) Evidence, if any, of rehabilitation submitted by the licensee.
- (c) When considering a petition for reinstatement of a certificate of registration under Section 11522 of the Government Code, the Board shall evaluate evidence of rehabilitation submitted by the petitioner, considering those criteria of rehabilitation specified in subsection (b).
- 5. Petitioner established, by clear and convincing evidence to a reasonable certainty, that the early termination of his probation is warranted. Petitioner has been compliant with probation. He is no longer involved with the See Clearly Method system. Petitioner understands the problems with that system and the Board's concerns for the public. Probation appears to have adequately conveyed the dangers of a licensed practitioner involving him or herself in non-scientifically supported practices. Petitioner appeared remorseful. The Board's concerns at the time it imposed probation are no longer present. Petitioner's unrestricted practice will no longer endanger the public.

ORDER

David Muris's Petition for Early Termination of Probation is granted,

Dated: 11 25, 2011

Lee A. Goldstein, O.D., President California Board of Optometry

#235, Sacramento, CA 95825



Board of Optometry

2420 Del Paso Road, Sulte 255 Sacramento, CA 95834 (916) 575-7170/(866) 585-2666 www.optometry.ca.gov



PETITION FOR REDUCTION OF PENALTY OR EARLY TERMINATION OF PROBATION

No petition for reduction of penalty or early termination of probation will be entertained until one year after the effective date of the Board's disciplinary action. The decision of the petition will be made by the full Board and in accordance with the attached standards for reinstatement or reduction of penalty. Early release from probation or a modification of the terms of probation will be provided only in exceptional circumstances, such as when the Board determines that the penalty or probationary terms imposed have been excessive, considering both the violation of law charged and the supporting evidence, or when there is substantive evidence that there is no more need for the degree of probationary supervision as set forth in the original terms and conditions. As a rule, no reduction of penalty or early termination of probation will be granted unless the probationer has at all times been in compliance with the terms of probation.

PLEASE TYPE OR PRINT L	FGIRLY		
1: NAME (FIRST)		(LAST)	CERTIFICATE OF REGISTRATION NO.
David	William	Muris	CA 5059T
2. ADDRESS (NUMB)		s, Suite 235	DATE OF BIRTH 11/13/1940
(CITY) (STATE	(ZIP CODE)		TELEPHONE
Sacramento CA	95825		(916) 929-9162
3. PHYSICAL DESCRIPTION	`5'10"	185 lbs Bl	COLOR) (HAIR COLOR) ue Blond
	OF SCHOOL(S) OR COLLEG	E(S) OF OPTOMETRY A	ITENDED
NAME OF SCHOOL Southern California C			
ADDRESS (NUMBER			
2575	Yorba Linda E	3oulevard	
(CITY) (STATE)	(ZIP CODE)		
Fullerton CA	92831		
	LICENSED IN ANY OTHER ST		(NO)
STATE LICENSE NO	ISSUE DATE	EXPIRATION DATE	LICENSE STATUS
	pes of practice for 5 years pric		
LOCATION	DATE FROM	DATE TO	TYPE OF PRACTICE
 1111 Howe Ave.	1976	Present	General Primary Care



7. Are you or have you ever been addicted to the use of narcotics or alcohol?

3. Are you or have you ever suffered from a contagious disease?

9. Are you or have you ever been under observation or treatment for mental disorders, alcoholism or narcotic addiction?

10. Have you ever been arrested, convicted or pled no contest to a violation of any law of a foreign country, the United States, any state, or a local ordinance? you must include all convictions, including those that have been set aside under Penal Code Section 1203.4 (which includes diversion programs)

YES (NO

11. Are you now on probation or parole for any criminal or administrative violations in this state or any other state? (Attach certified copies of all disciplinary or court documents)

YES (I

12. Have you ever had disciplinary action taken against your optometric license in this state or any other state? SEE EXPLANATION ATTACHED

YES (NO)

IF YOU ANSWERED YES TO ANY OF THE ABOVE QUESTIONS, YOU MUST ATTACHMENT A STATEMENT OF EXPLANATION GIVING FULL DETAILS.

ON A SEPARATE SHEET OF PAPER PROVIDE THE FOLLOWING INFORMATION

- .)3. List the date of disciplinary action taken against your license and explain fully the cause of the disciplinary action.
- 14. Explain fully why you feel your license should be restored, or the disciplinary penalty reduced.
- 15. Describe in detail your activities and occupation since the date of the disciplinary action; include dates, employers and locations.
- 16. Describe any rehabilitative or corrective measures you have taken since your license was disciplined to support your petition.
- 17. List all post-graduate or refresher courses, with dates, location and type of course, you have taken since your license was disciplined.
- 18. List all optometric literature you have studied during the last year.
- 19. List all continuing education courses you have completed since your license was disciplined.
- 20. List names, addresses and telephone numbers of persons submitting letters of recommendation accompanying this petition.

I declare under penalty of perjury under the laws of the State of California that the answers and information given by me in completing this petition, and any attachments, are true and I understand and agree that any misstatements of material facts will be cause for the rejection of this petition.

Date 12-15-2010 Signature 2011 M Mans 201

All items of information requested in this petition are mandatory. Failure to provide any of the requested information will result in the petition being rejected as incomplete. The information will be used to determine qualifications for sinstatement, reduction of penalty or early termination of probation. The person responsible for information maintenance is the Executive Officer of the Board of Optometry at 2420 Del Paso Road, Suite 255, Sacramento, California, 95834. This information may be transferred to another governmental agency such as a law enforcement agency, if necessary to perform its duties. Each individual has the right to review the files or records maintained on them by our agency, unless the records are identified confidential information and exempted by Section 1798.3 of the Civil Code.

12. Have you ever had disciplinary action taken against your optometric license in this or any other state?

I have not had any disciplinary action ever taken against my optometric license except for the Stipulated Settlement of October 9, 2008 which this petition applies to.

13. List the date of the disciplinary action taken against your license and explain fully the cause of the disciplinary action.

Disciplinary action was taken against my license October 9, 2008. I was involved with Steven Beresford, PhD, Founder of American Vision Institute (AVI), Merrill Allen, O.D., PhD., Professor Emeritus at Indiana School of Optometry, and Francis Young, PhD, Professor Emeritus at Washington State University. Both Professors, Drs. Allen and Young, were recipients of the American Optometric Association's highest award, the Apollo Award. Together we wrote a book, 'Improve Your Vision without Glasses or Contact Lenses' published by Simon and Schuster.

A company from Iowa (Vision Improvement Technologies) contacted American Vision Institute (AVI) regarding a program of vision improvement based on the book, 'Improve Your Vision Without Glasses or Contact Lenses'. We, AVI and I, cooperated in the "See Clearly Method" project which was ideas and eye exercises to help people with their vision. In fact I invested with the owners in the company approximately 2% of the value of the company. I had neither ownership per se nor any operational control. The See Clearly Method was designed to be an adjunct or supplemental program used under the supervision of an Optometrist or an Ophthalmologist. The Accusation and Stipulated Settlement and Disciplinary Order occurred as a result of my association and actions with the Iowa Company, the See Clearly Method and the American Vision Institute. The Probation period was stipulated from October 9, 2008 until October 9, 2013.

14. Explain fully why you feel your license should be restored, or the disciplinary penalty reduced.

I respectfully request my license be fully restored and the disciplinary penalty reduced to reflect current time served (almost 2 ½ years) for the following reasons.

- A. I have complied with all 16 items of the Disciplinary Order.
- B. All the conditions that caused the Probation have been remedied. Specifically the Iowa Company (VIT) offering the See Clearly Method no longer exists and the product is not available. I am no longer associated with the American Vision Institute. I no longer use the See Clearly Method or any programs like it in my office. I am in communication with my Probation Monitor and report quarterly and have paid restitution on a monthly basis.

- C. The probation order clearly contemplated that I would continue my existing practice. Paragraph 7 of the order provides that "Respondent may continue to practice Optometry in his current office, subject to the restrictions in this Order..."
- D. Two changes in the marketplace have made it impossible for me to maintain a viable practice under the Order. First, the number of patients having insurance has increased. Today, approximately 90 plus percent of my patients are covered by insurance. The trend is for more patients to be covered by insurance, and Vision Service Plan (VSP) has by far the largest market share in Sacramento. Of the approximately 90 plus percent of my patients with insurance, over 75% are covered by VSP. Second, when the Order was issued, as an Optometrist on Probation, I was able to see VSP patients under the supervision of another Optometrist. VSP changed its policy to deny reimbursement for services provided by any optometrist on probation, regardless of the reason for the probation. A second smaller insurance company has now followed suit.
- E. The reason for the disciplinary action is now wholly irrelevant to the manner in which I practice optometry. As explained above, I no longer engage in the practices that concerned the Board. Neither the Board, insurance companies, nor my patients have ever questioned the manner in which I currently conduct my practice. For over 40 years, most of my practice has involved the procedures and techniques I currently use.
- F. The Board's action clearly contemplated that I could continue to practice. I have complied with all other requirements of the Order. The market conditions that now make it impossible for me to continue my practice successfully were unknown to the Board, indeed did not then exist, when the Order was issued. Accordingly, continuation of the probationary period is unnecessary and would serve no purpose other than to turn the Board's original decision to place me on probation into a de facto ban on my ability to practice independently.
- G. Moreover, ending the probation would be in the best interests of my many long-standing patients. If the order continues, they must either pay out of pocket or seek out a new provider, which would destroy a long established doctor/patient relationship.
- H. Ending the probation is also in the best interests of my staff and their livelihood, especially in these economic times. Two of my staff are the sole support of their families. If the order continues it is likely that the practice will need to let go several more staff and/or cease to exist.
- J. There has never been a claim of optometric negligence regarding patient care in my 41 years of practice.
- 15. Describe in detail your activities and occupation since the date of the disciplinary action; include dates, employers and locations.

Since the date of the disciplinary action I have been practicing Optometry at my practice location, 1111 Howe Avenue, Suite 235, Sacramento, CA 95825 to the present. I practiced at this location continuously since approximately 1975. During this time I have continued my membership beginning in 1970 with the American Optometric Association, the California Optometric Association, Sacramento Valley Optometric Association (SVOS), and the Optometric Extension Program Foundation. (OEP). I was past President of the SVOS and past Regional Director of OEP. For a number of years I was a member of Point West Rotary. I have been a member of the Better Business Bureau with an A+ rating since 1985 (certificate attached). I am a member of the Sacramento Chamber of Commerce.

16. Describe any rehabilitative or corrective measures you have taken since your license was disciplined to support your petition.

I am currently undertaking the completion of the Ethics course required by the Stipulated Decision and Disciplinary Order. I have never had any ethics courses in conjunction with my Optometry training or Continuing Education.

Since the date of the disciplinary action I have provided significantly more free exams and glasses to patients who are unable to pay than previously.

I am witnessing the repercussions for my patients, my staff and, most importantly, my wife. I will do everything in my power to ensure nothing like this will happen again.

I have ceased doing the activities which caused this Probation, i.e. I am no longer associated with the See Clearly Method, Vision Improvement Technologies (they no longer exist), the American Vision Institute, and no longer offer the See Clearly Method or similar material in my office.

17. List all post-graduate or refresher courses, with dates, location and type of course, you have taken since your license was disciplined.

I have begun the Ethics Course provided by the Board in conjunction with Southern California College of Optometry and will have it successfully completed before the end of January 2011. The expenses are \$900.00 for the course, transportation, food and lodging. They are estimated to be \$375.00 for a total of approximately \$1,275.00.

18. List all optometric literature you have studied during the last year.

Optometry Times

Review of Optometry
Optometric Management
en Vision, news from the UC Davis Health System Eye Center
Journal of Behavioral Optometry
Contact Lens Spectrum
AOA Journal
COA Journal
Ophthalmology Times

19. List all continuing education courses you have completed since your license was disciplined.

CE Hrs	Course
2	Educating Patients About Ultraviolet Radiation, Dr. Stephen Cohen,
	New England College of Optometry, Contact Lens Spectrum
2	Tales of the Optic Nerve, Lewis Bliss, MD, FAAO, SVOS, Sacramento,
	CA
	Monterey Symposium, 11/14-11/16/2008, Monterey, CA:
1	Effects of Systemic Medications on Contact Lens Wear, Dr. Schornack,
	OD, Monterey, CA
2	Contact Lens Complications, Dr. Schornack, OD, Monterey, CA
. 2	Understanding Neurological Diseases – Multiple Sclerosis, Dr. Agarwal,
	MD, Monterey, CA
2	The Pharmacology of Glaucoma, Damn Lies and Statistics, Dr. Onofrey,
	OD, RPh, FAAO, Monterey, CA
2	Innovations in Glaucoma Treatment – What's New, What's True, Dr.
•	Semes, OD, Monterey, CA
2 .	Management of Ocular Pain and Inflammation, Dr. Onofrey, OD, RPh,
•	FAAO, Monterey, CA
. 2	Third World Mission Eye Care, Robert B. Miller, MD, SVOS,
	Sacramento, CA
1 .	An Easily Overlooked Disease: Ocular Ischemic Syndrome, Anjali Patel,
•	OD and Meredith Whiteside, OD, FAAO, California Optometry Journal
2	The New Glaucoma Bill, Aaron Lech, O.D., SVOS, Sacramento, CA
. 1	Glaucoma Review, Robert DiMartino, OD, MS, FAAO, Meredith M.
	Whiteside, OD, FAAO, California Optometry magazine
2	Comprehensive Evaluation of Lid Disease, Paul Karpecki, OD, Kelly
	Nicholas, OD, Optometric Management, PA College of Optometry
. 2 .	Emerging Trends in Contact Lenses, Mark Andre, FAAO, SVOS,
	Sacramento, CA
3 .	1) Diagnosing Retinal & Optic Disc Disease w/ the OCT 2) What's
	New in Corneal Surgery? 3) Dysfunctional Tear Syndrome: Current
	Treatment Recommendations, Abbot Medical Optics/Eyemaginations,
	Inc., Drs. Lewis, Grutzmacher, Sierra, MD's, Sacramento, CA
	Ocular Surface Disease, John Lahr, OD, FAAO, SVOS, Sacramento, CA
2	Therapeutic Opportunities in Anterior Segment Disease, Drs. Cooper and
	2 2 1 2 2 2 2 2 2 1

	• • • • •	Meister, MD's, Pacific Laser Eye Center, Sacramento, CA
5/19/2009	2	Dry Eye and Lid Disease & Strategies for Contact Lens Care, John
3/19/2009	. 2	Schachet, OD, FAAO, SVOS, Sacramento, CA
10/1/0000	· , •	
12/1/2009	1	New Approaches for Reducing Risk Macular Degeneration, Lloyd Snider,
	.ar	OD, Optometric Management, Pennsylvania College of Optometry
12/1/2009	. 1	Concurrent Treatment for Glaucoma and Ocular Surface Disease, Robert
	•	Wooldridge, OD, FAAO, Optometric Management, Pennsylvania College
		Of Optometry
12/2/2009	1	Revolutionizing Glaucoma Diagnosis and Treatment Using Advanced
		Technology, John Warren, OD, Optometric Management, Pennsylvania
	• • • • • • • • • • • • • • • • • • • •	College of Optometry
1/27/2010	. 1	Multi-Disciplinary Patient Care for Diabetes, Tina Mac Donald, OD,
		FAAO, California Optometry magazine
3/25/2010	3	Diagnostic Dilemmas in Glaucoma: Red Eye and how to treat it;
		Refractive Options in 2010, Drs. Lewis, Grutzmacher and Sierra, MD's,
		Sacramento, CA
3/31/2010	1.	Providing Optimal Optics For Your Astigmatic Cataract Patients, Leo
5,52,2010		Semes, OD, Review of Optometry, University of Alabama School of
	•	Optometry
4/1/2010	. 1.	Beyond AREDS – The Fringe Has Become the Standard of Eye Care,
7/1/2010	Ι.	Mark A. Slosar, OD, FAAO, California Optometry magazine
4/12/2010	. 2	An Expert Perspective on Lens Care, Leo Semes, O.D., Review of
4/12/2010	. 2	Optometry, University of Alabama School of Optometry
4/20/2010	2	
4/20/2010	. 2	A Primer on Optical Coherence Tomography, Bonnie Quiroz, MD, SVOS,
c/10/0010		Sacramento, CA
5/18/2010	. 2	A Day in the Retina Clinic, Joel Pearlman, MD, SVOS, Sacramento, CA
5/18/2010	2	Proven Strategies to Market Your Ocular Allergy Practice, John M. G.
•	+ :	Rumpakis, OD, MBA, Optometric Management, Pennsylvania College of
Carlo Maraka		Optometry
5/18/2010	1	Shedding Light on a New Era in Refraction, John Warren, OD,
		Optometric Management, Pennsylvania College of Optometry
5/18/2010	1	Appreciating the Complexities of Glaucomatous Eyes-Inside and Out,
		Leo P. Semes, OD, Optometric Management, Pennsylvania College of
•		Optometry
5/18/2010	Ι .	Seizing Profitable Opportunities in the Treatment and Management of
	•	Ocular Allergy, Arthur B. Epstein, OD, John M. B. Rumpakis, OD,
	·	Optometric Management, Pennsylvania College of Optometry,
6/1/2010	2	Fitting Kids With Contact Lenses, Pauline Cho, PhD, FAAO, FBCLA &
		Sin Wan Cheung, MPHIL, FAAO, Contact Lens Spectrum, New England
		College of Optometry
7/23-25/201	0 13	Tahoe Seminar, South Lake Tahoe, CA
,,		Clinical Decisions in Glaucoma, Robert Wooldridge, OD;
		What's New in Contact Lenses, LaMar Zigler, OD, FAAO;
• .	•	CS Eye and Future of Contact Lenses, Arthur Epstein, OD, FAAO;
		Advanced Dry Eye, Sheffer Tseng, MD, PhD;
		Common Ocular Diseases and Refractive Surgery, Shachar Tauber, MD;
• • •		Common Coma Diseases and Iconactive Burgery, Buscular Tamber, 1911);

· · ·		Retinigmas - Puzzles for the Puzzling Depths of the Eye, Paul Karpecki,
		OD, FAAO and Joel Pearlman, MD
7/29/2010 i		Is UV Good or Bad? Health Benefits and Risks Involving Ultraviolet
		Light, Donald L. Barniske, OD, FCSO, California Optometry magazine
8/31/2010 2		A Brief Look at Current Thoughts on Glaucoma Management and
		Diagnosis, Review of Optometry, University of Alabama School of.
	•	Optometry
9/21/2010 2		East Meets West: Effective Management of Common Ocular Conditions,
		Aaron Lech, OD, SVOS, Sacramento, CA
10/19/2010 2		Retina Report, Joel Pearlman, MD, SVOS, Sacramento, CA
.11/12/2010 1	· . · ·	Prescribing Anti-Infective Medications for Patients Who Are Pregnant or
		Breastfeeding, RoseAnn L. Jankowski, Pharm.D, COA Magazine
11/16/2010 2	·	Eye of Beholder & Science Based Nutrition for Patients with Diabetes,
		Paul Chous, MA, OD, FAAO, SVOS, Sacramento, CA
12/12/2010 8		Building a Therapeutic Practice: Ocular Surface Disease, Building A
	•	Therapeutic Practice: Coding & Billing, John W. Lahr, OD, FAAO and
	•	Marc Bloomenstein, OD, FAAO

20. List names, addresses and telephone numbers of persons submitting letters of recommendation accompanying this petition.

Letters are in the following order.

Professional

- Ronald H. Sargis, Federal Judge, and patient, 4413 Vico Way, Sacramento, CA 95814, 916-930-4544
- Timothy J. Muris, Esquire, Foundation Professor, George Mason University School of Law, 3301 North Fairfax Dr., Arlington, VA 22201-4426, 703-993-8000
- H. Douglas Cooper M.D., Ophthalmologist, 1220 25th Street, Sacramento CA 95816, 916-452-4706
- Richard B. Meister, M.D., Ophthalmologist, 5959 Greenback Lane, Ste. 310, Citrus Heights, CA 95621, 916-723-7400,
- Richard A. Lewis, M.D., Ophthalmologist, 1515 River Park Dr., Ste. 100, Sacramento, CA 95815, 916-649-1515
- William Richardson, O.D., 11879 Kemper Rd Ste 6, Auburn, CA 95603 530-885-1234
- Gary K. Scheffel, O.D., 9490 Madison Ave., Ste. 100, Orangevale, CA 95662 916-988-2212
- Bill Henshaw, O.D., FCOVD, 801 S. Fairmont Ave., #5, Lodi, CA 95240 209-334-2020
- James M. Keppler, D.C., patient, 5667 Freeport Blvd., Sacramento, CA 95822, 916-422-5111
- Robert A. Williams, Executive Director, Optometric Extension Program
 Foundation, Inc., 1921 E. Carnegie Ave., 3L, Santa Ana, CA 92705-5510

Beller Business Buireau

Start With Trust

BBB Northeast California



Dr. David W. Muris O.D.

(DBA) Sacramento Visioncare Optometric Center

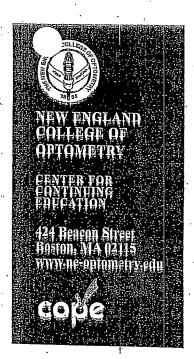
Sacramento, CA 95825

A+ Rating

MAR. 1985 - MAR. 2011

DODOE

CONTINUING EDUCATION



Contact Lens Spectr. Inst 2008
Educating Patients About Oltraviolet Radiation
Or. Stephen Collen
COPE # 22751-60 2 Credit Hours

SENT OCT 102000

Dear Doctor

This certifies that you have received the above continuing education credits.

Requests for additional copies of this continuing education credit slip must be in writing, and there is a \$15.00 service charge per copy.

Thank you for your interest in the programs offered through the Center for Continuing Education.

Sincerely,

Clifford Scott, OD, MPH

Interim Director, Continuing Education

Validation requires your signature: ____

CALIFORNIA LICENSE NO. 5059

CERTIFICATION OF PARTICIPATION IN CONTINUING EDUCATION

THIS WILL CERTI	FY THAT: / (URIS	127	14C.D	•	•
	Last Name	First	Middle	•	_
	pAno Sa		Ca	95821	ζ.
(Address of Practice	Location)	City	State.	Zip	,,
Social Security Num	ber				
	JAN M	Mun	52		
	Signature of Licensee				
		•	` · · · · · · · · · · · · · · · · · · ·		
COURSE:	"Tales of the Optic Nerve"	•			
	(Course Title)	•		· · · · :	
SPONSORED BY:	Sacramento Valley Optometric	Society .		•	
			•	, ,	•
LOCATION	VSP Facility, Rancho Cordov	za, CA			
		· .			
DATE	October 21, 2008	Two (2) CE Hours)			
	(OF HOURS)	•	• -	
COURSE INSTRUC	TOR(S): Lewis Bliss, MD, FA	AO			

Heioi Schauffele, 60
Heidi Schauffele, OD
Program Director

*ENTIRE FORM MUST BE COMPLETE Please DO NOT send any records of Continuing Education attendance to the board office until requested to do so.



California Optometric Association

2415 K Street, Sacramento, CA. 95816 P.O. Box 2591, Sacramento, CA. 95812-2591 Tel: (916) 441-3990 Toll-Free: {800} 877-5738 Fax: (916) 448-1423

License Mumber: 05059

David W. Muris, O.D. 1111 Howe Ave #235 Sacramento, CA 95825

CONTINUING EDUCATION TRANSCRIPT

California Optometric Association Monterey Symposium 2008 Monterey, CA November 14 - 16th, 2008 TPA - ANY OF THE FOLLOWING
(Glouconn, Coular intection, intermediate, Systemic
Mada, Pah Madications)
(Bloocolor Victor, Cantact Lourses, Low Vision, Vision
Thatapy)
PM - PRACTICE MANAGEMENT
ABO - Amorican Buard of Opticinny - Approval
ICLE - Malignal Contact Lans Examinata Approvad

COURSE TITLE	Date	Speaker	CE HRS	Calegory	COPE
• 103 - Effects of Systemic Medications on Contact Lens Wear	11/14/08	Julie Ann Schornack, O.D.	.1.00	TPA	COPE: 19130 F11
106 - Contact Lens Complications	11/14/08	Julie Ann Schornack, O.D.	2.00	TPA	COPE: 2830M-CL
 108-Understanding Neurological Diseases - Multiple Sclerosis 	11/14/08	Madhu R. Agarwal, MD	2.00	TPA	COPE: 17604-PS
204-The Pharmacology of Glaucoma, Damn Lies and Statistics	11/15/08	Bruce Onofrey, OD. RPh,FAAO	2.00	TPA	COPE: 13893-GI
 210-Innovalions in Glaucoma Trealment-What's New, What's True 	11/15/08	Leo Semes, O.D.	2.00	TPA	COME: 15289 GL
304 - Management of Ocular Pain and Inflammation	11/16/08	Bruce Onoirey, OD. RPh,FAAO	2.00	TPĄ ·	COPE, 21931 PH

CALIFORNIA LICENSE NO. 5059.

CERTIFICATION OF PARTICIPATION IN CONTINUING EDUCATION

TITO WITH CITICITY I	111/11 / / / / / / / / /		ZETUID.	
•••••	Last Name	First	Middle	
(Address of Practice Lo	cation)	City	State	Zip.
Social Security Number				
	Dank	1 Wh	min	
	Signature of Licer	isee	,	
COURSE : "Third Wor	d Mission Eye Care"			
(Course Title)				
SPONSORED BY:S	Sacramento Valley Opto	metric Society		
			• • •	
LOCATION Radisson	Hotel, Sacramento CA			
DATE1	Jovember 18, 2008	Two	(2)	•
		(CE Hours) `	
COURSE INSTRUCTO	R(S): Robert B. Mil	er MD		
		•		• •

HEIDI SCHAUFFELF, O. D. Heidi Schauffele, OD
Program Director

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California Optometric Association

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. License Number:

0,5059

David W. Muris, O.D. 1111 Howe Ave #235 Sacramento, CA 95825

'CONTINUING EDUCATION'TRANSCRIPT

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G. GLAUCOMA
OI - OCULAR INFECTION
II - INFLAMMATION
SM - SYSTEMIC MEDS
P - PAIN MEDICATIONS
O - OTHER
PM - PRACTICE MÅNAGEMENT

Date	COURSE TITLE	CE HRS	CAT	
12/11/08	 "An Easily Overlooked Disease: Ocular Ischemic Syndrome," by Anjali Patel, OD and Meredith Whiteside, OD, FAAO, appearing in the Nov/Dec 2008 issue of California Optometry magazine. 	1.00	 TPA	

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THIS WILL CERTIFY THAT: MURIS	JA ULO	
(Please Print) Last Name	First	Middle
1111 Hamp Aug Site 235 Sac	CA	•
(Address of Practice Location) City	State	Zip
Social Security Number		
Ilm/ mu	2	
Signature of Licensee		
COURSE: The New Glaucoma Bill	-	
(Course Title)		
SPONSORED BY: Sacramento Valley Optometric Society		
LOCATION: Radisson Hotel, Sacramento, CA		
DATE January 20, 2009 Two (•	
(CE Hou	rs)	
COLEGE TRANSPORTED TO TO TO THE TOTAL TOTA	•	

HEIDI SCHAUFFELE, 00

Heidi Schauffele, OD Program Director

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CONTINUING EDUCATION TRANSCRIPT

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Code Listing

G - GLAUCOMA OI - OCULAR INFECTION II - INFLAMMATION SW - SYSTEMIC MEDS P - PAIN MEDICATIONS O - OTHER PM - PRACTICE MANAGEMENT

		· · · · · · · · · · · · · · · · · · ·	
Date	COURSE TITLE	CE HRS	CAT
1/29/09	"Glaucoma Review," by Robert DiMartino, OD, MS, FAAO and	1.00	TPA
* • •	Meredith M. Whiteside, OD, FAAO, appearing in the		



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at Salus University

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David Muris, OD 1111 Howe Ave Ste 235 Sacramento, CA 95825 Del V Mins

To be completed by O.D.

O.D. License Number: 50 54 T

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This is to certify that the above-named individual has attained Two (2) clock hours of Continuing Education Course Work offered by the Center through the correspondence course in Optometric Management magazine.

Course Title: "Comprehensive Evaluation of Lid Disease" (COPE #22707-AS) By Paul Karpecki, OD, Kelly Nicholas, OD

August 2008 Issue Test Graded: February 11, 2009



CALIFORNIA LICENSE NO. 5059

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THIS WILL CERTIFY THAT:	(LS	JAU1.0	· W
(Please Print)	Last Name	First	Middle
1111 Huy Ang	Sac	Ca	95 E26
(Address of Practice Location)	City	State	Żip
Social Security Number	_		
Land 1	y Muris		
Signature of Lie	censee		
COURSE: Emerging Trends in Contact Lens.	es		
(Course Title)			
SPONSORED BY: Sacramento Valley Op	tometric Society	••	•
LOCATION : Radisson Hotel, Sacramento. C	Å		
	· · · · · · · · · · · · · · · · · · ·		
DATE February 17, 2009	Two (2)		•
	(CE Hours	3)	
COURSE INSTRUCTOR(S): Mark Andre F	AAO		

COURSE INSTRUCTOR(S): MARK AHURE, FAACT

HEIDI SOHAUF FELE, O.D. Heidi Schauffele, OD Program Director

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Board of Optometry 2420 Del Paso Road, Suite 255, Sacramento, CA 95834-9674 Tel: (916) 575-7170

www.optometry.ca.gov



THIS WILL CERTIFY THAT:
MURIS David W
Last Name (Please Print) First MI
1111 House Ame Svite 23.5
Address (Practice Location) Street Number and Name
0
Suc (a 95.825)
City State Zip Code
California License No. 5059T
JUIN MINIS
Signature of Licensee
ATTENDED: (1) Diagnosing Retinal & Optic Disc Disease w/ the OCT (2) What's New
in Corneal Surgery? (3) Dysfunctional Tear Syndrome: Current Treatment
Recommendations
(Course Title)
SPONSORED BY: Abbot Medical Optics (AMO) / Eyemaginations, Inc.
(Name of Sponsoring Organization)
AT: The Firehouse, 1112 Second Street, Old Sacramento; CA
Location where course(s) were provided
ON: <u>March 24, 2009</u> , FOR: <u>three</u> / <u>three</u>
Date(s) Hours Credit
COURSE INSTRUCTOR(S): Richard A. Lewis. MD; Richard D. Grutzmacher, MD; Patricia B. Sierra. MD
The last
signature of Instructor Signature of Instructor Signature of Instructor

NOTE: This ENTIRE form MUST be complete. Please DO NOT send any records of continuing education attendance to the board office unless requested to do so.

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THIS WILL CERTIFY THAT:_	MURIS		DAUID	•
L	ast Name	First	Middle	
III Howe Avenue S	Juite 235	Sacrame	nto CA	95825
(Address of Practice Location)		City	State	Zip
Social Security Number				
· · · · · · · · · · · · · · · · · · ·	Sh W	Mun		
51	gnature of Licensee)		
COURSE: "Ocular Surface Disc	ease"	· ·		
(Course Title)				
SPONSORED BY Sacramen	to Valley Optomet	ic Society		
en er				
LOCATION: Radisson Hotel, Sa	acramento CA.	÷ :		
/			***************************************	114 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
DATE April 21,	2009	Two_(2)		
		(CE Hours)		
COURSE INSTRUCTOR(S):	John Lahr, OD, FA	ΔQ	· · ·	,

Heidi Schauffele, OD
Program Director

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Certificate of Completion

David Muris, O.D.

License #: 50597

Has Successfully Completed 2 Hours of CE Credits on Therapeutic Opportunities in Anterior Segment Disease April 29, 2009



Richard B. Mei

CERTIFICATION OF P		•	LICENSE NO IG EDUCATION	•	
THIS WILL CERTIFY TH			Avrio Middle		
III Howe Aver	Last Name			A 958	: :25
(Address of Practice Locati	on)	City	State	Zip	•
Social Security Number	Signature of Licens	/ // / . \	NO.		
COURSE : "Dry Eye and I	id Disease" and "Strat	regies for Con (Course Ti	•		· ·
SPONSORED BY: Sac	amento Valley Optomo	etric Society			
LOCATION : Pheasant Clu	nh, West Sacramento C	<u> </u>			e april e
D. 4.0000	. 10,0000	T. (0)			

HEIDI SCHAUFFELE, O.D. Heidi Schauffele, OD

(CE Hours)

Program Director

John Schachet, OD.

COURSE INSTRUCTOR(S):

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David Muris, OD 1111 Howe Ave Ste 235 Sacramento, CA 95825

To be completed by O.D.

O.D. License Number:

5059

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NOTE TO AGENCIES REQUIRING CERTIFICATION

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Course Title: "New Approaches for Reducing Risk Macular Degeneration"

(COPE #23778-PS)

By Lloyd I. Snider, OD

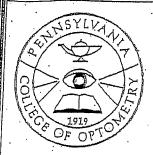
Management

Date:

November 2008 MARCO

Test Graded: December 1, 2009





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O.D. License Number:

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Course Title: "Concurrent Treatment for Glaucoma and Ocular Surface

Disease"

(COPE #23776-AS)

By Robert Wooldridge, OD, FAAO

Management

Date:

November 2008 ALCON

Test Graded: December 1, 2009





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O.D. License Number:

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Course Title: "Revolutionizing Glaucoma Diagnosis and Treatment Using

Advanced Technology" (COPE #23979-GL)
By John Warren, OD

Management

Date:

December 2008 (Marco).

Test Graded December 2, 1009



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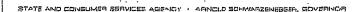
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Code Listin

G - GLAUCOMA
OI - OCULAR INFECTION
I - INFLAMMATION
ISM - SYSTEMIC MEDS
P - PAIN MEDICATIONS
O - OTHER
PM - PRACTICE MANAGEMENT

Date	COURSE TITLE	:		CE HRS	 CAT	•
1/27/10	 "Multi-Disciplinary P OD, FAAO, appearing California Optometry 	ng in the Novembe		1.00	TPA,	· .







- STATE BOARD OF OPTOMETRY 2420 Del Paso Road, Suite 255 P [916] 575-7170 F [916] 575-7292 web: www.optometry.ca.gov

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THIS WILL CERTIFY THAT:	
Muris David	V
Last Name (Please Print) First	MI .
1111 Hour Ave Sufe # 235	
Address (Practice Location) Street Number and Name	
Su crunent Cy City State	95-835
City State	GSS, 2S Zip Code
Attendees Signature and California license number	
Attendees Signature and California license number	
COURSE ATTENDED: Diagnostic Dilemmas in Glaucoma; Red Eye an	d how to treat
it; Refractive Options in 2010	
(Title and ID number),	•
SPONSORED BY: Alcon Pharmaceuticals / Surgical & Carl Zeiss	
(Name of Sponsoring Organization)	
VENUE: The Firehouse Old Sacramento, CA	
(Location where course was provided)	
DATE OF COURSE March 25, 2010 LENGTH OF COURSE 3 hours	
(Hours)	
COURSE INSTRUCTOR(S): Richard A. Lewis, MD; Richard A. Grutzmacher MD; Patricia	a B. Sierra. MD
Also the state of	
Signature of Instructor Signature of Instructor	
<u> m // </u>	
/ Signature of Instructor	
	•

NOTE: This form must be completed in its entirety. Please <u>DO NOT</u> send any records of continuing education attendance to the Board's office unless requested to do so.



University of Alabama School of Optometry Office of Continuing Education

Office of Continuing Education 1716 University Boulevard Birmingham, AL 35294-0010 (205) 934-5701

COPE approval is granted for this course. This course is COPE-qualified for 1.00 hours of CE credit. This course is joint-sponsored by Review of Optometry, a publication of Jobson Publishing LLC.

Course Title: Providing Optimal Optics For Your Astigmatic Cataract Patients

COPE ID: 26852-PO

Date: 03/31/2010

Score: 100%

Your Answers: CDADDDCCBDBBBBB

Correct Answers: CDADDDCCBD***** (* = evaluation questions)

David Muris 1111 Howe Ave Ste 235 : Sacramento, CA 95825

Leo Semes, O.D.

Director, Continuing Education
UAB School of Optometry



California Optometric Association

2415 K Street, Sacramento, CA 95816
P.O. Box 2591, Sacramento, CA 95812-2591
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License Number:

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G-GLAUCOMA
OI-OCULAR INFECTION
I-INFLAMMATION
SM-SYSTEMIC MEDS
P-PAIN MEDICATIONS
O-OTHER
PM-PRACTICE MANAGEMENT

Date COURSE TITLE CE HRS CAT

4/1/10

• "Beyond AREDS - The Fringe Has Become the Standard of Care," by Mark A. Slosar, OD, FAAO, appearing in the March/April 2010 issue of Callfornia Optometry magazine.



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Course Title: An Expert Perspective on Lens Care

COPE ID: 26277-CL

Date: 04/12/2010

Score: 100%

AACACBDDACACABCDBDCDAAAAA Your Answers:

Correct Answers: AACACBDDACACABCDBDCD****** (* = evaluation questions)

David Muris 1111 Howe Ave Ste 235 Sacramento, CA 95825

Leo Semes, O.D.

Director, Continuing Education UAB School of Optometry

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THIS WILL CERTIFY THAT: MURIS DAUID
Last Name First Name
111 Huretry Ent 285 Supremento Con 95825
Address of Practice City/ State/Zip
Social Security Number
Jel W m. mil
Signature of Licensee
The state of the s
DATE & LOCATION: April 20, 2010 Radisson Hotel in Sacramento
COURSE INSTRUCTOR: Bonnie Quiroz, M.D.

COURSE: "A Primer on Optical Coherence Tomography"

CE HOURS: Two (2) Hours

Texas Smith, O.D.

Texas Smith, O.D.

Program Director

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SACRAMENTO VALLEY OPTOMETRIC SOCIETY.

CALIFORNIA LICENSE NO. 5059 T

DATE & LOCATION: May 18, 2010 Radisson Hotel in Sacramento

COURSE INSTRUCTOR: Joel Pearlman, M.D.

COURSE: "A Day in the Retina Clinic"

CE HOURS: Two (2)

Texas Smith, O.D.
Texas Smith, O.D.
Program Director

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O.D. License Number:

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Course Title: "Proven Strategies to Market Your Ocular Allergy Practice" (COPE #224509-PM)

By John M. B. Rumpakis, OD, MBA

Management

Date:

March 2009 (Alcon)

Test Graded: May 18 2010





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To be completed by O.D.

O.D. License Number:

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Course Title: "Shedding Light on a New Era in Refraction"

(COPE #24628-GO)
By John Warren, OD

Management

Date: March 2009

Test Graded: May 1/8 1/2019





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David Muris, OD 1111 Howe Ave Ste 235 ₁ Sacramento, CA 95825

To be completed by O.D.

O.D. License Number:

5059 T

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Course Title: "Appreciating the Complexities of Glaucomatous Eyes-Inside and Out"

(COPE #23952-GL)
By Leo P. Semes, OD

Management

Date:

December 2008 ALCON

Test Graded: May 118 12010





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To be completed by O.D.

O.D. License Number:

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"Seizing Profitable Opportunities in the Treatment and Course Title:

Management of Ocular Allergy"

(COPE #24362-AS)

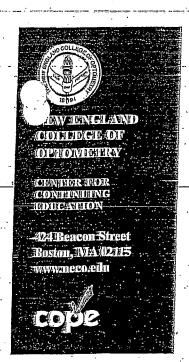
By Arthur B. Epstein, OD, John M. B. Rumpakis, OD

Date: .

February 2009







JUN 0 1 2016

Dear Doctor

Contact Lens Spectrum August 2009 Fitting Kids With Contact Lenses Faulin Cho, PhD, FAAO, FBCLA & Sin 中中 Insult MIPHIL, FAAO COPE # 25911-Champing Minhis

This certifies that you have received the above continuing education credits.

Requests for additional copies of this continuing education credit slip must be in writing, and there is a \$15.00 service charge per copy.

Thank you for your interest in the programs offered through the Center for Continuing Educ

Sincerely,

Plan Land Lani

Alan L. Lewis, O.D., Ph.D. Director, Continuing Education

Validation requires

your signature:

SACRAMENTO VALLEY OPTOMETRIC SOCIETY

CALIFORNIA LICENSE NO 5059

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THIS WILL CERTIFY THAT: MULL	e15	DAVI	0		
(Last Nar	ne)	(First)	(Middle)	-	
1111 Harp Aug #	736 Suc.	Ca	:		
(Address of Practice Location)	(City)	(State) (Zip)			
Social Security Number				•	:.
	JUN1	WMin	2		
(Signature of Lice	ensee)			
PLACE: Embassy Suites South Lake Tahoe		• • • •			
ATTENDED: Tahoe Seminar					• • • •
DATE: July 23-25, 2010		,			··
CE UNITS: (14 1/2 hours) 4 Other				•	
COURSE INSTRUCTORS & SUBJECTS: Robert Wooldridge, OD – Clinical Decisions in Arthur Epstein, OD, FAAO – CS Eye and Futur Shachar Tauber, MD – Common Ocular Diseas	e of Contact Len	ses; Sheffer Tsen	g, MD, Ph D – A	Advanced I	
and Joel Pearlman, MD—Retinigmas—Puzzles				Αυ,	

-Linda Rappa O.D.

Linda Rappa, OD Program Director

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David W. Muris, O.D. 1111 Howe Ave #235

Sacramento, CA 95825

CONTINUING EDUCATION TRANSCRIPT

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G - GLAUCOMA OI - OCULAR INFECTION I - INFLAMMATION SM - SYSTEMIC MEDS P - PAIN MEDICATIONS O - OTHER PM - PRACTICE MANAGEMENT

Date	COURSE TITLE	CE HRS	CAT	
7/29/10	 "Is UV Good or Bad? Health Benefits and Risks Involving Ultraviolet 	1.00	TPA.	
	Light," by Donald L. Barniske, OD, FCSO, appearing in the July/August 2010 issue of California Optometry magazine.			•



University of Alabama School of Optometry

Office of Continuing Education 17:16-University Boulevard - Birmingham, AL 35294-0010 (205) 934-5701

COPE approval is granted for this course. This course is COPE-qualified for 2.00 hours of CE credit. This course is joint-sponsored by Review of Optometry, a publication of Jobson Publishing LLC.

Course Title: A Brief Look at Current Thoughts on Glaucoma Managment and Diagnosis

COPE ID: 28887-GL

Date: 08/31/2010

Score: 85%

Your Answers:

DBACCDAAADBCACDDBCDDAAAAA

Correct Answers: CBACCDABADBCACDDBCAD****** (* = evaluation questions)

David Muris 1111 Howe Ave Ste 235 Sacramento, CA 95825

Tay P. Than

Tammy P. Than, M.S., O.D. Director, Continuing Education UAB School of Optometry

SACRAMENTO VALLEY OPTOMETRIC SOCIETY

CALIFORNIA LICENSE NO. 50597

CERTIFICATION OF PARTICIPATION IN CONTINUING EDUCATION THIS WILL CERTIFY THAT: Last Name First Name Last Name First Name City/ State/Zip Social Security Number Signature of Licensee DATE & LOCATION: Septembe 21, 2010 VSP in Rancho Cordova, CA COURSE INSTRUCTOR: Aaron Lech, O.D. COURSE: "East Meets West: Effective Management of Common Ocular Conditions CE HOURS: _Two (2)

Texas Smith, O.D.

Texas Smith, O.D.

Program Director

*ENTIRE FORM MUST BE COMPLETE Please DO NOT send any records of Continuing Education attendance to the board office until requested to do so.

SACRAMENTO VALLEY OPTOMETRIC SOCIETY

CALIFORNIA LICENSE NO. 5059

THIS WILL CERTIFY THAT: MURIS DAVID. Last Name First Name 4413 Pure And Address of Practice City/ State/Zip Social Security Number

CERTIFICATION OF PARTICIPATION IN CONTINUING EDUCATION

Signature of Licensee

DATE & LOCATION: ___October 19, 2010

COURSE INSTRUCTOR: Joel Pearlman, MD.

COURSE: Retina Report

CE HOURS: _Two_(2)

Texas Smith, D.D.

Texas Smith, O.D. Program Director

*ENTIRE FORM MUST BE COMPLETE Please DO NOT send any records of Continuing Education attendance to the board office until requested to do so.



California Optometric Association

2415 K Street, Sacramento, CA 95816
P.O. Box 2591, Sacramento, CA 95812-2591
Tel: (916) 441-3990 Toll-Free: (800) 877-5738 Fax: (916) 448-14 Fax: (916) 448-1423

License Number:

05059

David W. Muris, O.D. 1111 Howe Ave #235

Sacramento, CA 95825

CONTINUING EDUCATION TRANSCRIPT

California Optometric Association CE@home

G - GLAUCOMA
OI - OCULAR INFECTION .
I - INFLAMMATION .
SM- SYSTEMIC MEDS
P - PAIN MEDICATIONS
O - OTHER
PM - PRACTICE MANAGEMENT

Date	COURSE TITLE	CE HRS	•	CAT .	
11/12/10	 "Prescribing Anti-Infective Medications for Patients Who Are Pregnant or Breastfeeding," by RoseAnn L. Jankowski, Pharm.D., appearing in the September/October 2010 issue of California Optometry magazine. 			TPA	

SACRAMENTO VALLEY OPTOMETRIC SOCIETY

CALIFORNIA LICENSE NO. 5059

Texas Smith O.D.

Diabetes (Cone 27084-SD.

CE HOURS: _Two_(2)

Texas Smith, O.D. Program Director

**ENTIRE FORM MUST BE COMPLETE Please DO NOT send any records of Continuing Education attendance to the board office until requested to do so.



COPE Certification Form

Name: David MURIS OD.
Address: 1111 House Hue Suite 235
Sac Ca 9582/
State License(s)/Number(s): 5059 T
This certificate hereby states that Down I MURIS UP
Attended a COPE approved seminar for continuing education as follows:
Location (city and state) of education: Sacramento, CA
Date of education: December 12, 2010
COPE number for the COPE course presented:
25158-AS - Building a Therapeutic Practice: Ocular Surface Disease 25157-PM - Building a Therapeutic Practice: Coding & Billing
COPE Event # 100851
Instructor: John W. Lahr, O.D., FAAO and Marc Bloomenstein, O.D., FAAO
COPE Credits 6 Hours Anterior Segment, 2 Hours Practice Management

Please submit this form to your state board for CE credit and retain a copy for your files.

COPE Instructor Signature

LETTERS OF RECOMMENDATION

Ronald and Janeece Sargis 4413 Vico Way Sacramento, California, 95814

December 7, 2010.

Dear Board of Optometry Representative

I am writing to you on concerning David Muris, O.D., and his request of the Board to conclude his probationary period under the Stipulated Settlement and Disciplinary Order. During the past twenty-five years I have known David personally through our Church, professionally as one of his patients, and in representing him as an attorney with my former law firm Hefner, Stark & Marois, LLP. Knowing David in these three different capacities has provided me with a unique insight to David Muris as both the person and the doctor.

On the personal level, David has always been very considerate of others and their private lives. His professional and business life never intruded on his personal relationships with others. As opposed to some who use every opportunity to try and sell their business or profession to "friends," David has always respected the privacy of his friends and that their personal lives separate and apart from his profession.

As his patient, I always observed Dr. Muris and his staff operate his practice to the highest level of professionalism. It has always been clear that the proper care of his patients' eyes and vision was priority one with him. Over the years of maintaining current prescriptions for my glasses and contacts, or addressing questions and responding to questions about laser surgery (which I have not elected), his services were always focused on what was best for my vision.

Though I did not represent the other doctors and business persons who were involved in the vision improvement concept such as the See Clearly Method and AVI, representing Dr. Muris did provide me with an opportunity to observe how he was attempting to properly deal with these persons (and some unique personalities) and the proper development of such concepts. With respect to those concepts, I never observed any conduct of Dr. Muris engaging in any conduct which was not what he believed to be in the best interests of consumers investigating those concepts. But he could not unilaterally control others involved in the programs.

One immutable law of human existence is that each of us have our strengths and skills, which lead us to our respective careers. There would be no serious dispute that lawyers, in general, do not have the scientific curiosity and compassion of doctors. Conversely, my observation has been that many doctors and scientific minded clients I represented over the years did not have the skeptical eye and business organizational strategy skills of a business attorney. This does not mean the attorney, doctors, or scientists are not very good at what they do, just that the very skills which make the good

in their profession sometimes put them in situations where they are not naturally suited to address situations which do not develop as they envisioned. For the doctors, I have seen this arise in situations where the doctor or scientist have not put in place the business structure to control or direct the enterprise in the manner which that doctor believes to be in everyone's best interest.

To the extent that issues relating to the See Clearly Method and AVI are matters which have been addressed by the Board, those matters have been concluded as proscribed in the Stipulated Decision and Disciplinary Order. As I am sure you have confirmed from your follow up investigations, those matters are closed and Dr. Muris has no involvement with them or any similar programs. He is pursuing his profession and passion as a doctor, helping his patients. At this point continuing the probation is not working to deter any of the matters which were the subject of the Stipulated Decision and Disciplinary Order, but only punish Dr. Muris when no further punishment is warranted. The continued probation also punishes his existing and future patients who are unable to avail themselves of his services due to the insurance programs provided by their employers.

Though I have left my law practice to accept an appointment to the federal bench, please do not hesitate to contact me if I can provide you with any additional information or be of assistance as you address these issues. My direct chambers number is 916-930-4544, at which you will reach my Judicial Assistant, Dawn Nartker. If I am not available when you call, Ms. Nartker will arrange for us to have a phone conference at a convenient time on your schedule.

Thank you again for you all that you, the Board, and staff do to assist both the patients and doctors in the care of our vision.

Sincerely,

Ronald H. Sargis

George Mason University

School of Law 3301 North Fairfax Drive -Arlington, Virginia-22201-4426

Office: (703) 993-8000 Fax: (703) 993-8088

November 29, 2010

VIA FEDERAL EXPRESS

California State Board of Optometry 2420 Del Paso Road
Suite 255
Sacramento, CA 95834

Re. Letter Supporting Dr. David Muris' Probationary Application

To Whom It May Concern:

I write to support the application of Dr. David Muris to shorten his probationary period from five years to two and one-half years. Unless the Board grants this request, Dr. Muris will be unable to practice his profession successfully, to the detriment of his many patients.

I am currently Foundation Professor, George Mason University School of Law, located in Arlington, Virginia. Besides a long career as an academic, starting in 1976, I have held six positions in the United States Government, most recently as Chairman of the Federal Trade Commission (FTC), from 2001-2004. The FTC is our nation's premier consumer protection agency, and I was honored to serve as its head, the fourth position that I held within that agency. Among other actions, my tenure was known for the creation of the National Do Not Call Registry, one of the most popular initiatives ever undertaken by our federal government.

As a former government official charged with enforcing the nation's consumer protection laws, I know the importance of active government supervision of the marketplace. I also know the importance of the maxim that the punishment should fit the crime. Because the Board did not remove Dr. Muris' license, instead placing him on probation, the punishment presumably was not designed to render it impossible for Dr. Muris to carn a living in his chosen profession. The growing importance of insurance companies to the practice of optometry and the reaction of those companies to probation,

regardless of the underlying reasons for the Board's action, is preventing Dr. Muris from serving a sufficient number of patients to maintain a viable practice.

Professional myself, I have long marveled at his interest and dedication to serving his patients. For over 40 years, we have discussed often the intricacies of optometry, and I have seen few individuals who have as much enthusiasm for their work as my brother. I understand that the Board's action did not involve the quality of care that Dr. Muris provides. It would be a service not only to Dr. Muris, but more importantly to his patients, to reduce his probationary period, therefore allowing him to continue in the profession that he loves and practices so well.

I would be glad to answer any questions regarding this letter that the Board may have.

Sincerely

Timothy J. Muris

Foundation Professor

George Mason University School of Law

TJM:dtb

11/19/2010

David Muris, O.D. 1111 Howe Ave. Ste. 235 Sacramento, CA. 95825

To Whom It May Concern:

This letter is written in recommendation of Dr. David Muris. As I'm sure you are aware Dr. Muris has been in practice in Sacramento California since 1976. In those 34 years of practice he has had tens of thousands of happy patients. We have worked together closely over the decades. Dr. Muris honored me by doing his externship at one point for therapeutic licensure in my office here in Sacramento. I can highly recommend David Muris after comanaging many patients over the years with him for his continued practice of Optometry in the state of California.

I would be glad to provide any additional information should the Board feel necessary to contact me. In summary I can recommend Dr. David Muris without hesitation of qualifications for continued practice of Optometry in California.

Sincerely,

H. Donglas Cooper, M.D.

Board Certified American Board of Ophthalmology



Eye & Laser Center

A Medical Group, Inc.

5959 Greenback Lane

Suite 310 Citrus Heights, CA 95621 tel: (916) 723.7400 fax: (916) 723.4449

www.lasermeister.com

November 19, 2010

California State Board of Optometry 2420 Del Paso Road, Suite 255 Sacramento, CA 95834

Re: DAVID MURIS, O.D.

Dear Board Members:

I have known Dr. David Muris for the last 25 years I have been in practice in Sacramento. I have had many patients in common with him. I have never to this day heard a complaint from a patient or otherwise about Dr. Muris or his practice. Dr. Muris also spent time in my office, certifying for TPA's when they were first approved for optometry. Dr. Muris is one of the first doctors I precepted for TPA's. He has always been at the forefront of optometry.

I feel that Dr. Muris is a very competent clinician and ethical practitioner. I support him in his past and continued practice.

Best regards,

Richard B. Meister, M.D.

RBM/rd DS331706



Richard D. Grutzmacher, M.D. Cornea, Cataract and Laser Vision Correction

Richard A. Lewis, M.D.
Glaucoma and Cataract

P-a-t-r-i-c-i-a-B---S-i-e-r-r-a-,-M-.-D---Cornea, Cataract and Laser Vision Correction

Monica C. Robinson, O.D. Primary Eye Care

December 06, 2010

State Board of Optometry 2420 Del Paso Road, Suite 255 Sacramento, CA 95834

To Whom It May Concern:

I am glaucoma specialist practicing in Sacramento since 1984. As a consultant Dr. David Muris has referred patients to me for evaluation and treatment in addition I have referred patients to him for optometric care. Approximately 7 years ago Dr. David Muris did a proctorship under my tutelage evaluating patients for glaucoma.

I have enjoyed the relationship with Dr. Muris and look forward to working with him in the future.

Sincerely,

Richard A. Lewis, MD

RAL: wlm

William Richardson. OD 11879 Kemper Rd Ste 6 Auburn, CA. 95603 (530) 885-4534 (530) 823-5380 fax

11/24/2010

To whom it may concern;

Thank you for the opportunity to recommend David Muris. O.D. for your consideration. I have had the pleasure to know and work with Dr Muris since 2004. During that time I have worked with him two days a week at his office on Howe Avenue in Sacramento.

Dr Muris possesses superior clinical skills and exceptional patient relation skills seeing patients of all ages and backgrounds. He has maintained a very successful practice and is a sought after practitioner with a very loyal and happy patient base.

Again I am proud have worked with Doctor Muris over these years. He is a benefit to our profession and patients. I urge you to consider him for full inclusion and without restriction as a valued and honored member of our profession.

Sincerely,

William P Richardson, O.D.

Thursday, November 18, 2010

RE: David Muris, O.D.

TO: California State Board of Optometry,

I have known David Muris for 30 plus years. Through out this time, I have gone to optometric continuing education meetings with him as well as working side by side in his office for several years.

He has always impressed me as a man of good character, high moral standards and professional integrity. Not many men that I have known come close to these qualities in an individual. He always practiced with the best interests of his patients in mind and went out of his way for them. You could see that by the way they kept returning to see him over the years. His patients were not just another pair of eye balls he was examining but they were people with problems he wanted to solve and get help for.

Working those years in his office, he held his staff to a very high standard. One to be envied, as he would institute programs for training and rewards and was always there for them far beyond what most employers would do. And always with the idea of how to provide the best patient care we could. He was firm and demanded no less than your best efforts in the work place, and no less for himself.

He has been in the same office location for probably 25 years. Dave was always involved in helping his fellow colleagues with moral support and served as past president of the Sacramento Valley Optometric Society.

Dave told me one time that going to the office should be fun in the work place and you should leave every day with a positive attitude. That has always stuck with me all these years and I can truly say that he has been a good mentor for me and for the profession that he represents.

Respectfully submitted,

Gary K. Scheffel, O.D.

License 5766T

9490 Madison Ave. Suite 100

Dary K. Schoffel in

916-988-2212

BILL HENSHAW, OD, FCOVD

VISION EXCELLENCE practiced here
801 S . FAIRMONT AV #5 LODI, CA 95240 * 209-334-2020



e: David Muris, OD status

11/21/10

California Board of Optometry
2420 Del Paso Road, Suite 255
Sacramento, CA 95834
Lee A. Goldstein, OD, MPA - President
Alejandro Arredondo, OD - Vice President
Monica Johnson - Secretary
Fred J. Naranjo, MPA
Susy Yu, OD, MBA, FAAO
Katrina R. Semmes
Edward J. Rendon, M.A.
Kenneth Lawenda, OD

Dear Members:

I am writing in behalf of David Muris whom I have known personally and professionally over 30 years. Professionally he has been a leader in our field and a supporter of professional optometry and developed a large successful practice in Sacramento that has employed many assistants and aided many optometrists. He has on three occasions helped me during some tough spots in my professional and personal life.

Orthokeratology now has a prominent place in Sacramento. He has brought vision processing care to Sacramento and helped numerous children with visually related learning problems while at the same time aiding the prestige of optometry in Sacramento. He has developed ingenious business programs that help optometrists efficiently run their practices and stay professional. An unintentional consequence of your action now threatens his practice.

From my understanding you have put him on probation for five years, not suspended his license. This was for an action not entirely under his control in the See Clearly program and nothing to do with the care he has provided to patients at Sacramento Visioncare. Rather than vindicate himself causing extra work and attorney fees for himself and you he accepted your discipline and complied with all your requirements for the past two plus years.

Now VSP has burdened Dr Muris with an ex-post facto policy of removing him from the VSP panel because of his probation. The probation was prior to VSP"s policy. You probably understand that VSP is so powerful that expulsion form the panel for a professional optometrist is virtually a bankruptcy notice. I can not imagine you had any desire to stop Dr Muris from practicing optometry nor financially ruining him in his senior years. Yet, that is the result of VSP"s new policy based on your action. I respectfully request that you end his probation.

Very truly yours.

Bill Henshaw, OD, FCOVD

copy

Rób Lynch, President VSP

James M. Keppler 5667 Freeport Blvd, Sacramento, CA 95822 Alternatives (916) 422-5111

FAX (916) 422-5819

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November 20th, 2010

To: The California State Board of Optometry

gplu P.C.

Re: Dr. David Muris

I have been a patient of Dr. Muris's for about 20 years. He has always been knowledgeable and professional. He has a well-equipped office and courteous staff.

I have known many patients who have gotten good results from Dr. Muris's care. It have been very happy with my experience there over the years and plan to continue to see Dr. Muris. I am thankful for the care I have received so far and look forward to future care.

Sincerely,

James M. Keppler, D.C.



Optometric Extension Program .

Foundation, Inc.
1921 East Carnegie Avenue, 3L
Santa Ana, CA 92705-5510
(949) 250-8070
(949) 250-8157 FAX
www.oepLorg
rwill23@hotmail.com

November 29, 2010

California State Board of Optometry

To Whom It May Concern:

Re: David Muris, OD

Dr. David Muris has been a Clinical Associate of the OEP Foundation for nearly 25 years. During this period of association with the Foundation we are aware of only ethical, professional behavior on his part.

Should the Board have any specific questions regarding Dr. Muris I would be happy to discuss any issues related to Dr. Muris and his practice of optometry. Please feel free to call meat 949-250-8070 or e-mail to: rwilliams@oep.org.

Sincerely,

Robert A. Williams Executive Director

Blader Class



November 24, 2010

Department of Consumer Affairs State Board of Optometry

Re: David Muris

To Whom It May Concern:

David has been a patient of mine for the past 18 months. He has had a significant number of medical challenges which are complicated by the probation that he is on with respect to the State Board of Optometry. The consequences of the probation and the stress involved has led to insomnia coupled with financial stress which decreased his healing potential. The additional health burden of the probation is certainly significant with respect to his overall process and health.

I have seen David Muris on many occasions and

know him to be an honest and forthright

individual. I would hope that this letter

will assist him in getting off of probation

in order to move toward a healthier and more

MICHAEL J. KWIKER, D.O.

WILLIAM MORA, M.D.

KIRK HAMILTON, PA-C

WENDY POMERANTZ, PA-C, LAC.

TARAS LUMIERE, D.C., LAC. Sincerely,

MJK/ra

productive life.

Michael J. Kwiker, D.O.

3301 Alta Arden

Suite 3 -

Sacramento

California 95825

(916) 489-4400

(800) 675-4515 ·

Fax 489-1710



The Holisticzone glsjewelry com

Gay Lynn Saunders, D.C.



333 San Carlos, Suite B Stockton, CA 96207 (209) 607-2669 gaylynns@comcast.net info@glsjewelry.com

November 30, 2010

State Board of Optometry

To Whom It May Concern:

As a holistic chiropractic physician, I am always searching for quality holistic practitioners in every field, which is why I drive approximately 45 miles to see him. When I started with Dr. Muris, almost 15 years ago, my eyesight was deteriorating. I was having an extremely difficult time obtaining glasses for my complicated prescription. When I met Dr. Muris, I was immediately impressed by his understanding, compassion, humor, and desire to help me. Always the professional, he cut my prescription in half with his treatment. I will always be grateful and in his debt for that.

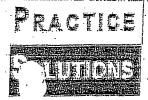
Over the years, I have observed that his office maintains a friendly and professional staff. Most of the staff has been there long-term, displaying a loyalty that I envy.

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Gay Lynn Saunders, D.C.



November 29, 2010

David Muris, O.D. 1111 Howe Avenue, Ste. 235 Sacramento, Ca. 95825

Dear David:

I am writing you this letter as a recommendation for you, both on a personal and professional level.

have known David Muris for over 25 years. I have owned my own management consulting company for about 29 years here in the Sacramento area. In that time I have worked with hundreds of health care providers. David started out as a client of my consulting company, and over the years we have developed a close relationship. Because of the high level of integrity that David possesses, and more importantly his uncompromising insistence that his patients' eyesight improve, I have chosen David as my family's personal eye care provider.

On a personal level, I have also come to regard David as one of my good friends. He and I have shared our viewpoints on many subjects, including sports and politics. I like people who are not afraid to tell the truth, and David definitely fits this category.

I can strongly recommend David to anyone for these reasons.

Should anyone care to contact me about David, feel free to do so. I will be more than happy to tell you nothing but the best regarding David and his work..

Sincerely,

Greg Andrews
President
Tractice Solutions



December 1, 2010

California State Board of Optometry

To whom it may concern,

I initially became acquainted with Dr. Muris and his practice in 1989. My vision had steadily deteriorated to the point that I was no longer picking up the rotation of the seams on a baseball delivered from 60' away. Attempting to play at night under lit conditions was an exercise in futility as the ball was a fuzzy white blur. I had become quite discouraged by the proposition of having to quit participating at a premature age.

Jerry Reynolds, the former Sacramento Kings coach, had been doing radio spots for Sacramento Visioncare for over a year. What struck a chord for me was the fact that Mr. Reynolds was a visible sports celebrity in Sacramento and was known to be a person of integrity within his profession. If Jerry Reynolds had a positive experience and was willing to associate his name with the practice, I thought it was probably worth looking into. I was impressed with Sacramento Visioncare from the first visit. After my initial examination, Dr. Muris didn't make any promises, but did express cautious optimism that there would be a better than even chance of bringing my vision back to normal. I was impressed as there was no hard sell. There was no pressure to make a decision; I was given the available facts, the cost options, and contact information in case I chose to pursue what Dr. Muris was able to offer. At the time of the exam my visual acuity was 20/140 in one eye and 20/160 in the other. With the progressive change in lenses, Dr. Muris was able to improve my vision to better than 20/20 in both eyes! If memory serves me correctly, this process took place in less than two years. Needless to say, I was more than satisfied with the results and have continued as a patient ever since.

In addition to the positive results I have experienced with my vision, the staff has always been extremely friendly and professional. I look forward to my visits at the office. The saying is overused, but I really do feel like a part of their family when I walk in the door. The staff knows the patients on a first-name basis even when we drop in unannounced. If there is an emergency, there is a contact person 24/7. Needless to say, Dr. Muris continues to exceed expectations for the care of my sight. I give Dr. Muris and his staff an A+ during my 20-plus years of association with Sacramento Visioncare.

Sincerely, Joe Potulny

Teacher / Baseball Coach potulnyi@ihssac.org

To whom it may concern:

For over twenty years, I have been a family friend and patient of Dr. David Muris. And for as long as I've known David, he has been charitable in helping others; not only as a doctor and employer, but as a friend as well.

As a valued friend and mentor, he has taught me how to fish, on some truly memorable fishing adventures. David has graciously invited me into his family's home for holiday dinners on numerous occasions. I have even had the pleasure of accompanying David's family on several summer vacations. The sincerity of his generosity towards me and others is humbling.

Another aspect of our friendship I have cherished over the years is his eloquent advice. David has always motivated me to exceed in all areas of my own personal improvement. There are many simple philosophies he has shared with me that have helped me strengthen my work ethic and professional confidence. David's professional drive and ambition continue to inspire me.

As a patient of Dr. Muris, I arrived at Sacramento Visioncare with a vision of about 20/400 in the right eye and 20/475 in the left eye. Without surgery, Dr. Muris was able to improve my vision through the techniques he utilizes at Sacramento Visioncare. My vision is now roughly 20/60. Although I still wear corrective lenses most of the time, I am comfortable to go without them during some activities. I believe I have significantly benefited from the techniques Dr. Muris utilizes in his profession and have never doubted his exceptional expertise as a doctor.

To summarize my thoughts regarding David Muris, I can say he is a kind and generous man whom I owe a debt of gratitude.

Sincerely,

Brian Moore

Karen Castelli 575 Schooner Ridge Drive Dixon, CA .956.20

November 30, 2010

California State Board of Optometry

Re: David W. Muris, OD

TO WHOM IT MAY CONCERN:

I am writing this to state my support and perspective regarding the sanction placed on Dr. Muris by the Board of Optometry. Dr. Muris has been my providing optometrist for about 25 years. During this time my vision care has been outstanding and I have frequently referred my friends and relatives to him as an excellent professional.

Prior to Dr. Muris providing my professional optometric care our families were acquainted and we enjoyed a social interaction. In this interaction I came to appreciate his moral, ethical and personal perspective, family and professional values. I can say that I believe that he demonstrates the highest level of integrity. Each of our families has experienced difficult personal situations that have had an extreme impact on our lives. During this time he remained composed and concerned with finding positive energy to sustain our families.

Over the past year I have personally and professionally observed the impact of the action taken by the Board regarding Dr. Muris's professional standing. The action has taken a significant toll on him professionally and financially. Perhaps an unanticipated outcome was the impact to his professional practice with the loss of coverage for long-time VSP covered patients. For example, as a University of California employee my VSP insurance no longer covers professional services provided by Dr. Muris. So after 25 or so years of outstanding vision care I am faced with the choice of selecting an unknown optometrist in order to receive services covered by my insurance carrier — or the choice I made, which was to pay for the professional services out of pocket. This decision had an impact on my personal financial situation, because I also was subjected to salary/time reductions in the past year due to budget reductions. With the current economic recession this is not a choice that most individuals can make. The financial

707-693-9367 krncastelli@yahoo.com

hardship placed on the professional practice, the employees supported by the practice, and Dr. Muris personally is, in my opinion, beyond equitable. The result is more than punitive, it is devastating. I have watched as several long-time employees in the practice have either been laid off or had their time reduced. With the compounding of the loss of jobs and insurance—coverage by many-of-the-long-time-patients-within-the-practice, the-additional-loss-of-those—patients who are fortunate enough to still-have-insurance-but-are-not-able-to-utilize-the-professional of their choice, has had devastating results.

I encourage you to evaluate the actions taken, the significance of the unintended devastating financial outcome, and mitigate this situation with minimal impact to the parties involved.

Thank you for considering my sincere entreaty for a decision that can result in Dr. Muris again providing professional services to patients covered by insurance programs.

Sincerely,

Karen Castelli

It is with great pleasure I am writing a letter of recommendation on behalf of Dr. David Muris. For the past 4 years I have had the distinct pleasure of knowing him as my optometrist and as a personal friend.

As my optometrist, I greatly appreciate Dr. Muris' in depth knowledge of vision care, his kind, gentle and thorough approach to eye examinations and his initiative to ensure my questions and vision concerns are clearly addressed. I am also pleased that the health of my eyes (rather than the promotion of supplemental services or products) has always been the focus of my office visits. The professional advice I have received from Dr. Muris resonates well with me. Due to his services, I feel quite confident that my vision care is in excellent hands.

On a personal level I have found David Muris to be a generous, warm hearted, humorous and caring friend. I greatly enjoy the fact that he embodies a passionate regard for his profession and the needs of our community at large. On a variety of occasions I have witnessed David stretch himself to new heights as well as lend a helping hand to others. Without question, he is a man who seeks to better himself and the world around him.

I consider myself fortunate to know Dr. Muris and without reservation would be willing to answer any additional inquiries anyone might have regarding his professional or personal character.

Sincerely,

Carol J. Ashlin, M.A.

Carol J Ashli

Educational Consultant

916 974-1566

1 December 2010

To Whom It May Concern:

I have been a patient of Dr. David Muris since 2000. I sought Dr. Muris' services because of his reputation; I stay with him because of his years of experience, his friendly demeanor and his genuine concern for me and the health of my eyes.

I recently decided to undergo LASIK surgery. Prior to the surgery, Dr. Muris discussed the procedure with me and, more importantly, what I could expect afterward, in the long-term. He explained the monovision technique and worked with me to ensure my eyes would adapt successfully. I am pleased with the results of the surgery and attribute it to Dr. Muris' preparatory and follow-up work.

I was surprised to learn that some LASIK surgery patients continue their eye care with the surgeon rather than returning to the original provider. Given Dr. Muris' experience and my history with him, I never considered switching providers. In addition, Dr. Muris' office staff is another incentive for me to remain with him. The staff is courteous, knowledgeable of insurance procedures and helpful in accommodating special requests.

Overall, I am very satisfied with the level of care Dr. Muris provides, and recommend him at every opportunity.

Sincerely,

Kim Borgmeyer

128 Brightstone Circle . .

Folsom, California 95630

Kin Bargmigh

916.985.6113

1835 Vermont Street
Gridley, CA 95948
(530) 846-4927 home
julmerrell@sbcglobal.net

December 6, 2010

To Whom It May Concern:

This letter is in support of Dr. David W. Muris, O.D., License 5059, of Sacramento, California. It is my understanding Dr. Muris is on probation and, therefore, Vision Service Plan (VSP) is not allowing him to see VSP patients. VSP is my insurance coverage.

As background, I've worn corrective lenses since five (5) years of age. When my family moved to Woodland, California, from North Dakota in 1965, my parents continued my visual treatments with Dr. Romey, who placed me in hard contact lenses at the age of 11 due to extremely progressive myopia. With those hard contact lenses, my vision stabilized for approximately 19 years. My family moved from Woodland in 1966 to Oroville, California, but would take me back to Dr. Romey's practice in Woodland for my visual treatment (148 miles round trip). When Dr. Muris joined the practice with Dr. Romey, he became my primary vision doctor. As an adult, I still continued commuting to Woodland, and subsequently Sacramento when the practice opened that office, for my visual treatments. I am now 56 years old and Dr. Muris has been my visual doctor since I was a teenager. My daughter, Jennifer Sepulveda (Plaster), required corrective lenses around the age of 12 and, in spite of the commute, I chose Dr. Muris as her vision doctor as I trust his quality of care and expertise. She is now 37 years old and, although she resides in Paradise, California, has always commuted to Sacramento to be treated by Dr. Muris (175 miles round trip).

Although I have changed my primary medical physicians numerous times over the years, I have remained a patient of Dr. Muris for my visual treatment as he is very knowledgeable, thorough, and always takes care of my daughter and me as though we were family. I've been highly impressed with Dr. Muris's treatment throughout these years, as he does not simply prescribe corrective lenses, he goes the extra mile by researching natural methods of improving the health of our vision by means, such as, visual exercises. It has always been obvious to me that Dr. Muris is dedicated to his practice, truly cares for his patients and provides them with the best treatment possible.

Earlier this year, my daughter Jennifer was due for her annual visual exam but was advised that Dr. Muris is no longer on the VSP panel. Jennifer has had VSP coverage for approximately 10 years. She was very disappointed, as Dr. Muris has been her only vision doctor and she trusts him. She reluctantly is looking for a local eye doctor as she feels the commute is overburdensome if she cannot receive treatment personally from Dr. Muris. She is a CPA (Certified Public Accountant) and her schedule is demanding and spare time is limited.

December 6, 2010 Page 2

I recently required a change in prescription and chose to be treated by one of the other doctors at that location. Although that doctor did an excellent job, I prefer to be seen by Dr. Muris as he is personally aware of my entire medical history and I feel more comfortable with him; thus, the visit is less burdensome on me. It would be a financial hardship for me to pay for treatment outside the VSP insurance coverage.

It is my hope you will reduce Dr. Muris's probationary period so he will once again qualify to treat VSP patients. Please feel free to contact me if you have any questions or require further information. Thank you for your consideration.

Sincerely,

Julie,Merrell

Vim

Ruth E. Squires 190 Allaire Circle Sacramento, CA 95835

California Board of Optometry 2420 Del Paso Road, Suite 255 Sacramento, CA 95834

12/2/2010

To Whom It May Concern:

I have been an optometric patient of Doctor David Muris since the fall of 1986, and I have received excellent care throughout my years. I have been fully satisfied with his services and the care of the courteous and attentive staff in his office.

I generally do not refer family or friends to any provider, group, or organization, however I referred both my husband and a brother in law to Doctor Muris since I started as his patient, and shared my experiences with his care to many family members and friends. My husband was a regular patient of Doctor Muris until he opted to be seen by Kaiser Permanente last year. I have remained with Doctor Muris although I do carry Kaiser medical insurance and VSP vision insurance which no longer provides direct coverage for my care by Doctor Muris.

I plan to continue to be a patient of Doctor Muris for as long as he is practicing as the services received have been dedicated to my needs, supportive of my capabilities and desires, and a tremendous assistance in maintaining my current level of eyesight through use of gas permeable contact lenses.

Thank you for the opportunity to share my experiences, support, and recommendation of Doctor David Muris and his office.

Ruth E. Squires

To Whom It May Concern:

We have known Dr. David Muris since 1980 as a neighbor, attended his wedding and he has been our optometrist for the last 24 years. We can say that he has always been very professional, keeps up to date on the latest procedures and has always had the latest equipment and instruments.

His office staff and Associates are also very professional and have always made one feel very welcome. We have always had a very good Patient to Doctor relationship and have recommended him to several of our friends.

Jacqueline J. Payme
Richard and Jacqueline Pryor

State Board of Optometry:

Nov. 29, 2010

To Whom it may concern:

My name is Amy (Amelia, actually) Jones and I've known David W. Muris, OD, for almost forty-six years. I was a working registered nurse in California for forty years. I know my way around the medical field. We met in his last year of school at the Los Angeles College of Optometry and were married the next year. The union was for eleven years. We remained "family" for each other after we went our separate ways. He has also been in charge of my eye care over the years. I know him to be an honest, moral, highly-intelligent man. He has always had an up-to-date, modern office. It is clean, well-kept and staffed by educated, helpful people.

Please feel free to contact me if you have any questions about David.

Amy (Amelia) Jones

amy Jones

1616 Grenoble Dr.

Woodland, Ca.

95695-5147

530-662-4026

:Kate Wuris

From: Bob Hall [bobwonghall@gmail.com]
Sent: Monday, December 06, 2010 11:43 AM

To: David W Muris
Subject: Fwd: Muris

Sent from my iPhone

Begin forwarded message:

From: Bob Hall < bobwonghall@gmail.com > Date: December 6, 2010 11:40:04 AM PST To: Bob Hall < bobwonghall@gmail.com >

Subject: Muris

To Whom It May Concern.

6 December 2010

I have been a patient of Dr. David W. Muris for about 23 years. My first impression of him was that he was a very friendly man of high integrity. Since that first impression he has never let me down he's and has always been verifiable honest and up front with me. He produced improved vision for me and maintained it with his understanding of how vision works.

Anytime I have had questions about my vision he has answered me patiently in a way that made me feel good about having asked the question in the first place. Neither he nor any of his staff have ever tried to push any opinions and products on me although ideas and products have been shown or recommended from time to time.

I noticed in my nearly 64 years in this life that there are some people one knows he can trust to always be honorable and some one must keep his eyes on. Dr. Muris is someone I have never felt I ever had to question the reliability of because he has always backed up everything he has recommended to me with the workability of it as proof of his recommendation with improved or maintained normal vision.

To me vision is certainly an important sense in life. Shortly after starting Dr. Muris's recommended Orthokeratology program I was able to easily pass a California DMV vision test and have the need to wear corrective lenses removed from my drivers lenses. most people are amazed that at my age I can read even the small print as well as see at a distance without corrective lenses and this ability is directly attributable to Dr. Muris because I have not seen another vision Doctor since I started using his practice.

Sincerely

Bob Hall 2422 U Street Sac, CA 95818 (916) 601-2746

To Whom It May Concern:

Dr. David Muris, O.D. has been my Optometrist since 1979. He and his very capable staff at Sacramento Visioncare have helped me to greatly improve my vision to 20/20 and to keep it there. I have been very satisfied with their professional service over the years and would recommend them to anyone. I have referred to them a number of friends who became regular patients.

When I started with Dr. Muris, my vision was 20/200 and I had been wearing glasses for twenty years. Dr. Muris fitted me with soft contact lenses, and my corrected vision was great. Within five years, however, my eyes weakened to 20/250. Instead of using stronger contact lenses, Dr. Muris suggested a program of vision therapy that could reverse the progressive weakening process.

In 1984, we began re-shaping my eyes with orthokeratology, using gas permeable lenses. In about a year and a half, my vision without contacts was 20/20. I was very excited, since I could legally drive without having to wear corrective lenses!

To maintain my 20/20 vision, I wore the lenses several hours during the day, three to four days a week. This was successful for many years. However, because of my work schedule, we found it more convenient to switch to night-time wear, two to four nights per week. This fits my life style even better, and works very well!

From the beginning, as a key ingredient of the vision therapy program, Dr. Muris has recommended an eye examination every four months. He does a variety of tests, including ocular pressures, using state-of-the-art equipment. During regularly scheduled appointments about six years ago, he noticed a gradual increase in my ocular pressures. This was a sign of glaucoma, and Dr. Muris referred me to a specialist, who confirmed the diagnosis. The glaucoma has been under control with prescription eye drops ever since,

My vision works so well that I almost take it for granted. The credit belongs to Dr. Muris and his staff. Also, he may have possibly saved me from eventual blindness when he discovered my glaucoma. So far, I have not noticed any effects of it, and may still not have known if it had not been for the regular professional care of Dr. Muris and his staff. I am very thankful for my great vision, both far and near.

Sincerely,

Joseph J. Goss 3867 Chimney Rock Way Sacramento, CA 95834

JAMES C. EVANS III, E.A.

THE TAX OFFICE

8300 Fair Oaks Blvd., Suite 401 Carmichael, CA 95608 (916) 944-3925

December 7, 2010

California State Board of Optometry

To Whom it May Concern:

This letter is being written with the utmost personal and professional respect we have for David W. Muris, O.D. My wife, Theia Taletta (Kvamme) Evans has been a patient of Dr. Muris' since 1970 and I became his patient in 1988. Along the way, Dr. Muris became a tax client of ours as well.

Since we are self-employed and have been in business for thirty-five years, we can appreciate how important it is to build a firm foundation with one's business and develop a loyal clientele. Dr. Muris has followed the same path with building his business and clientele. He has always employed a very personable and professional staff that has always represented him in the best way possible.

To maintain his loyal clientele, Dr. Muris has had to keep a meaningful relationship with his patients while giving them the best eye care with the most current and updated equipment. During economical times like these, it is not such an easy accomplishment. However, Dr. Muris has set a high standard for himself and his practice and we will continue to be grateful to have an Optometrist of his nature to trust in and rely on for our vision care.

Sincerely,

JAMES C. EVANS III, E.A.

Jhua Juletta Evans-THEIA TALETTA EVANS November 29, 2010

To-Whom-It-May-Concern:

I am writing this letter of recommendation on behalf of David W. Muris, O.D.

I have been employed by Sacramento Visioncare Optometric Center since August 1999; part time for two years and full time since 2001. I have been trained to work in both the technical and administrative areas of the practice and I am currently the Assistant Office Manager.

As an employer, Dr. Muris sets high goals for himself and his staff. He is a demanding employer, but is always fair and reasonable with his expectations. I believe it's these high standards that have sustained the practice for over 35 years. He has many patients that travel hours, states, and sometimes countries to see him because they respect and trust his knowledge of the optometric field.

In 2009, VSP changed their policy regarding Doctors on probation which has disallowed Dr. Muris to see VSP patients. Although the majority of Dr. Muris' patients are with VSP, it has been rewarding to see some of his long time patients willing to pay out of network to continue their eye care with him.

Recently, another insurance company has taken him off their panel as they no longer allow Doctors to be contracted if the Doctor is on probation. Such policies have put a strain on the practice.

As an employee, Dr. Muris has taught me that "we" as a practice are here to provide the patients with professional, quality eye care and service. It is my opinion that Dr. Muris has always strived to meet or exceed these goals. Furthermore, if Dr. Muris was able to see all the patients who wish to see him as their eye care provider, it would lessen the patients' financial burden as well as that of the practice.

Thank you in advance for your consideration. If I can be of further assistance please contact me at (916) 974-7601.

Sincerely,

Tori Klinetobe

boi: Klinotale

December 6, 2010

To: Board of Optometry

From: JoAnne Agee

RE: David W. Muris, O.D.

I am sure that you all have a current curriculum vitae for Dr. Muris. It contains the validation of the continuing commitment that Dr. Muris has for his patient's eye health. He is the founding Director of Sacramento VisionCare; and in that capacity, he has been my employer since 1998.

This letter is to advise you of what you might not know about Dr. Muris before you undertake your re-evaluation of his probation status.

Dr. Muris is very active in his practice. He is so concerned about his patient's vision health that he provides the Stratus OCT imaging for a nominal fee when a patient does not have the means to pay. He is very active in his professional and personal community. He provides vision care for homeless two patients each month.

Dr Muris continues to attend seminars and the Optometric Society meetings to remain informed, and on the cutting edge of his profession.

He has been an extremely supportive employer, helping me, and other employees, to progress in various office skills and knowledge. Dr. Muris encourages all his employees to keep good personal eye health.

Every day, you have the opportunity to treat family, friends, and strangers with kindness and compassion while meeting their eye health needs. In my estimation, Dr. Muris is meeting that mission

JoAnne Agee Support Staff, Sacramento VisionCare Dolores McDonald 421 K Street Rio Linda, CA 95673 (916) 519-5011

December 12, 2010

To Whom it may concern: Re: Dr. David W. Muris, O.D.

My acquaintance with Dr. Muris began in 1994, -95 as a recent graduate from the National Career Education in the Optical/Optometric Assistant program. Sacramento Visioncare was gracious enough to let me complete my externship hours at their facility. Once I completed my externship hours I was offered a full time position as an Optometric Assistant.

In the winter of 2000 I made a career change. My years employed with Dr. Muris were consistently filled with weekly training, new technologies in vision improvement, non-traditional eye therapy, and the newest materials and fitting techniques in the gas permeable lenses field. Fellow students that completed the Optical/Optometric Assistant program did not have the exposure to gas permeable lenses as I. Now mind you this was also when PRK and RK where still being performed and the newest surgery, Lasík, was just emerging.

I may have changed careers but not my vision care needs. In the years that followed I still place my non-evasive vision care needs in the hands of Dr. Muris. I am so confident of Dr. Muris' care, I have entrusted him to the eye care needs of all three of my children, my spouse, my in-laws and my parents. I may be biased, but I doubt I can find another qualified and knowledgeable optometrist in the gas permeable field in the Sacramento Valley as Dr. Muris. My children and parents continue their care at Sacramento Visioncare as well, but see another optometrist.

As the years have passed and insurances change my children are no longer able to be seen by Dr. Muris. Instead they must see another VSP panel optometrist or I pay the out of pocket fee. As for my care – I pay out of pocket in order to get the best gas permeable expertise care available.

In closing, it is a shame that even though I have vision coverage, I must pay out of pocket for services that were once covered under the care of Dr. Muris.

Thank you for your time,

Milonalel

Dolores McDonald



BEFORE THE BOARD OF OPTOMETRY DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA

In the Matter of the Accusation Against:	Agency Case No. 2006-96	
DAVID W. MURIS, O.D.) 1111 Howe Avenue, Suite 235) Sacramento, CA 95825)	OAH No. 2007110254	
Certificate of Registration No. OPT 5059		
Respondent.)		

DECISION

The attached Stipulated Decision and Disciplinary Order is hereby adopted by the Board of Optometry, Department of Consumer Affairs, as its Decision in the above-entitled matter.

This Decision shall become effective October 9, 2008.

It is so ORDERED September 9, 2008

LEE A. GOLDSTEIN, O.D. MPA

PRESIDENT

BOARD OF OPTOMETRY

1	EDMUND G. BROWN JR., Attorney General of the State of California				
2 2	FRANK H. PACOE				
3	Supervising Deputy Attorney General JONATHAN D. COOPER, State Bar No. 141461				
4	Deputy Attorney General 455 Golden Gate Avenue, Suite 11000 San Francisco, CA 94102-7004				
5 6	Telephone: (415) 703-1404 Facsimile: (415) 703-5480				
7	Attorneys for Complainant				
8 9	BEFORE THE STATE BOARD OF OPTOMETRY DEPARTMENT OF CONSUMER AFFAIRS				
10	In the Matter of the Accusation Against: Case No. CC 2006-96				
11	DAVID W. MURIS, O.D. OAH No. 2007110254				
12	1111 Howe Avenue, Suite 235 Sacramento, CA 95825 STIPULATED SETTLEMENT AND DISCIPLINARY ORDER				
13	Certificate of Registration No. OPT 5059				
14					
15					
16	IT IS HEREBY STIPULATED AND AGREED by and between the parties to the				
17	above-entitled proceedings that the following matters are true:				
18	PARTIES				
19	1. Mona Maggio (Complainant) is the Executive Officer of the State Board				
20	of Optometry. She pursues this action solely in her official capacity and is represented in this				
21	matter by Edmund G. Brown Jr., Attorney General of the State of California, by Jonathan D.				
22	Cooper, Deputy Attorney General.				
23	2. Respondent David Muris (Respondent) is represented in this proceeding				
24	by attorney Robert J. Sullivan, whose address is Nossaman, Guthner, Knox & Elliott, LLP, 915 I				
25	Street, Suite 1000, Sacramento, CA, 95814-3705.				
26	3. On or about April 24, 1969, the State Board of Optometry issued				
27	Certificate of Registration to Practice Optometry No. 5059 to David Muris (Respondent). The				
28	license was in full force and effect at all times relevant to this Accusation and will expire on				
20					

November 30, 2009, unless renewed.

JURISDICTION

4. Accusation No. CC 2006-96 was filed before the State Board of Optometry (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on August 27, 2007. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. CC 2006-96 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

- 5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. CC 2006-96. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.
- 6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at his own expense; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.
- 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

- 8. Respondent understands that the charges and allegations in Accusation Number CC 2006-96, if proven at a hearing, constitute cause for imposing discipline upon his Certificate of Registration.
- 9. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent hereby gives up his right to contest that cause for

discipline exists based on those charges.

10. Respondent agrees that his Certificate of Registration to Practice

Optometry is subject to discipline and he agrees to be bound by the State Board of Optometry

(Board) 's imposition of discipline as set forth in the Disciplinary Order below.

CONTINGENCY

- Optometry. Respondent understands and agrees that counsel for Complainant and the staff of the State Board of Optometry may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.
- 12. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.
- 13. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Certificate of Registration to Practice Optometry No. 5059, issued to Respondent David Muris (Respondent), is revoked. However, the revocation is stayed and Respondent is placed on probation for five (5) years on the following terms and conditions.

Severability Clause. Each condition of probation contained herein is a separate and distinct condition. If any condition of this Order, or any application thereof, is declared

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unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not be affected. Each condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.

1. Obey All Laws. Respondent shall obey all federal, state and local laws and, in addition, all rules governing the practice of optometry in California. A full and detailed account of any and all violations of law shall be reported by Respondent to the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of compliance with this condition, Respondent shall submit completed fingerprint forms and fingerprint fees within 45 days of the effective date of the decision, unless previously submitted as part of the licensure application process.

Criminal Court Orders: If Respondent is under criminal court orders, including probation or parole, and the order is violated, this shall be deemed a violation of these probation conditions, and may result in the filing of an accusation and/or petition to revoke probation.

2. Cooperate with Probation Program: Respondent shall fully comply with the conditions of the Probation Program established by the Board and cooperate with representatives of the Board in its monitoring and investigation of Respondent's compliance with the Board's Probation Program. Respondent shall, at his own expense, report in person to the Board's headquarters in Sacramento within three (3) months of the effective date of the Board's decision, and as the Board deems necessary if it is determined that Respondent may not be compliant with any of the terms of conditions of his probation. Respondent shall inform the Board in writing within no more than 15 days of any address change and shall at all times maintain an active, current license status with the Board, including during any period of suspension.

Respondent shall comply with the Board's probation surveillance program, including but not limited to allowing access to Respondent's optometric practice(s) and patient records upon request of the Board or its agent, with or without prior notice to Respondent. Respondent shall pay the monitoring costs associated with the Board's probation surveillance program each and every year of probation, as designated by the Board, which may be adjusted on an annual basis. Such costs shall be payable to the Board of Optometry and delivered to the Board or its designee no later than January

31 of each calendar year. Failure to pay costs within 30 calendar days of the due date is a violation of probation. Upon successful completion of probation, respondent's license shall be fully restored.

- 3. Report in Person. Respondent, during the period of probation, shall appear in person at interviews/meetings as directed by the Board or its designated representatives.
- 4. Residency, Practice or Licensure Outside of California. Periods of residency or practice as an optometrist outside of California shall not apply toward a reduction of this probation time period. Respondent's probation is tolled, if and when he or she resides outside of California. Respondent must provide written notice to the Board within 15 days of any change of residency or practice outside the state, and within 30 days prior to re-establishing residency or returning to practice in this state. Respondent shall provide a list of all states and territories where he or she has ever been licensed as an optometrist. Respondent shall further provide information regarding the status of each license and any changes in such license status during the term of probation. Respondent shall inform the Board if he applies for or obtains a new optometry license during the term of probation. Within thirty days of the effective date of this decision and order, respondent shall provide a copy of the Board's decision and order to the optometry licensing authority of any other state where he is currently licensed or becomes licensed to practice optometry.
- 5. Submit Written Reports. Respondent, during the period of probation, shall submit or cause to be submitted such written reports/declarations and verification of actions under penalty of perjury, as are required by the Board. These reports/declarations shall contain statements relative to Respondent's compliance with all of the conditions of the Board's Probation Program. Respondent shall immediately execute all release of information forms as may be required by the Board or its representatives.
- 6. Function as an Optometrist. Respondent, during the period of probation, shall engage in the practice of optometry in California for a minimum of 24 hours per week for 6 consecutive months, within each year of probation, or as determined by the Board. For purposes of compliance with the section, "engage in the practice of optometry" may include, when approved by the Board, volunteer work as an optometrist, or work in any non-direct patient care position that requires licensure as an optometrist. If Respondent has not complied with this condition during the

probationary term, and Respondent has presented sufficient documentation of his or her good faith efforts to comply with this condition, and if no other conditions have been violated, the Board, in its discretion, may grant an extension of Respondent's probation period up to one year without further hearing in order to comply with this condition. During this one-year extension, all original conditions of probation shall apply.

- 7. Employment Approval And Reporting Requirements. Respondent may continue to practice Optometry in his current office, subject to the restrictions in this Order including, but not limited to, those regarding the supervision of employees. Respondent shall obtain prior approval form the Board before commencing or continuing any other practice of optometry. Respondent shall cause to be submitted to the Board any available performance evaluations and other employment related reports as an optometrist upon request of the Board. If working as an employee, Respondent shall provide a copy of this decision to his or her employer and immediate supervisors prior to commencement of the practice of optometry. In addition to the above requirements, Respondent shall notify the Board in writing within seventy-two hours after he or she obtains any optometric employment. Respondent shall notify the Board in writing within seventy-two hours after he or she is terminated or is separated, regardless of cause, from any optometric employment with a full explanation of the circumstances surrounding the termination or separation.
- 8. **Employment Limitations**. Respondent shall not work in any health care setting as a supervisor of optometrists. The Board may additionally restrict Respondent from supervising technicians and/or unlicensed assistive personnel on a case-by-case basis. Respondent shall not work as a faculty member in an approved school of optometry or as an instructor in a Board-approved continuing education program. Respondent shall work only on a regularly assigned, identified and predetermined worksite(s) and shall not work in a float capacity. If Respondent is working or intends to work in excess of 40 hours per week, the Board may request documentation to determine whether there should be restrictions on the hours of work.
- 9. Education Course. Within 90 days of the effective date of this decision, and on an annual basis thereafter, Respondent shall submit to the board for its prior approval and complete an educational program or course including, but not limited to, education in the field of

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ethics, to be designated by the board, which shall not be less than 25 hours per year, for each year of probation. This program shall be in addition to the Continuing Optometric Education requirements for re-licensure, and shall be obtained with all costs being paid by Respondent. Following the completion of each course, the board or its designee may administer an examination to test Respondent's knowledge of the course. Respondent shall provide written proof of attendance in such course or courses as are approved by the board.

- 10. See Clearly Method. Respondent shall not advertise, sell, endorse or assist in advertising, selling or endorsing the product known as the See Clearly Method or any product that is substantially similar to the See Clearly Method.
- 11. **Posting.** During the period of probation, Respondent shall post a notice in a prominent place in his office that is conspicuous and readable to the public. The notice shall state that Respondent's Certificate of Registration is on probation and shall contain the telephone number of the State Board of Optometry. Respondent shall also post a notice containing this information prominently on any website related to his practice of Optometry. The above-described notices shall be approved by the Board.
- 12. American Vision Institute. Respondent shall immediately divest himself of any ownership interests in and association interests substantially similar to the American Vision Institute. Respondent shall not be associated with the American Vision Institute or any other substantially similar associations or entitities in any way. Respondent shall not be associated with any internet website related to the American Vision Institute or any other substantially similar ownership interests. Respondent shall take affirmative action to remove his name and likeness from any and all literature, advertisements and internet websites related to the American Vision Institute and other substantially similar associations or entitities.
- 13. **Restriction as to Advertising.** During the period of probation, the Respondent shall, prior to any publication or public dissemination by any means, including, but not limited to, by means of internet advertising or websites, submit any and all advertisement of products and professional services in the field of optometry to the Board for its prior approval. Such

advertisement may be published or disseminated to the public only after written approval by the Board.

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14. **Cost Recovery.** Respondent shall pay to the Board costs associated with its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the amount of \$14,809.25. Respondent shall be permitted to pay these costs in a payment plan approved by the Board, with payments to be completed no later than three months prior to the end of the probation term.

If Respondent has not complied with this condition during the probationary term, and Respondent has presented sufficient documentation of his good faith efforts to comply with this condition, and if no other conditions have been violated, the Board, in its discretion, may grant an extension of Respondent's probation period up to one year without further hearing in order to comply with this condition. During the one year extension, all original conditions of probation will apply.

- 15. Violation of Probation. If Respondent violates the conditions of his probation in any respect, the Board, after giving Respondent notice and opportunity to be heard, may revoke probation and carry out the disciplinary order that was stayed. If an accusation or petition to revoke probation is filed against Respondent during the period of probation, or if the Attorney General's Office has been requested to prepare an Accusation or Petition to Revoke Probation, the board shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.
- 16. License Surrender. During Respondent's term of probation, if he ceases practicing due to retirement of health reasons, or is otherwise unable to satisfy the conditions of probation, Respondent may surrender his license to the Board. The Board reserves the right to evaluate Respondent's request and to exercise its discretion whether to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances, without further hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent will no longer be subject to the conditions of probation. Surrender of Respondent's license shall be considered a disciplinary action and shall become a part of Respondent's license history with the

- 1	# 이는 40 - 대는 이 스크리네트 이 20 분인 전인적으로 하는 이 전략이라면 다른데 그리는 된 그램이는 문에 없는 것이 되는 이 기원없이다.			
1	Board. An optometrist whose license has been surrendered may petition the Board for reinstatement			
2	no sooner than one year from the effective date of the disciplinary decision.			
3	<u>ACCEPTANCE</u>			
4	I have carefully read the above Stipulated Settlement and Disciplinary Order			
5	and have fully discussed it with my attorney, Robert J. Sullivan. I understand the stipulation and the			
6	effect it will have on my Certificate of Registration to Practice Optometry. I enter into this			
7	Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to			
8	be bound by the Decision and Order of the State Board of Optometry.			
9	DATED: 8-22-08 Llam Mans			
10	Respondent			
11	I have read and fully discussed with Respondent David Muris the terms and			
12	conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.			
13	I approve its form and content.			
14	DATED: 8-25-08 ROBERT J. SULLIVAN			
15	Attorney for Respondent			
16	<u>ENDORSEMENT</u>			
17	The foregoing Stipulated Settlement and Disciplinary Order is hereby			
18	respectfully submitted for consideration by the State Board of Optometry of the Department of			
19	Consumer Affairs.			
20	DATED:			
21	EDMUND G. BROWN JR., Attorney General			
22	of the State of California			
23	FRANK H. PACOE Supervising Deputy Attorney General			
24	J. S. G.			
25	JONATHAN D. COOPER// Deputy Attorney General			
26	Attorneys for Complainant			
27				
28				

Exhibit A
Accusation No. CC 2006-96

1 2	EDMUND G. BROWN JR., Attorney General of the State of California FRANK H. PACOE	
3	Supervising Deputy Attorney General JONATHAN D. COOPER, State Bar No. 141461	
4	Deputy Attorney General California Department of Justice 455 Golden Gate Avenue, Suite 11000	
5 6	San Francisco, CA 94102-7004 Telephone: (415) 703-1404 Facsimile: (415) 703-5480	
7	Attorneys for Complainant	
.8	BEFORE THE STATE BOARD OF OPTOMETRY	
9	DEPARTMENT OF CON STATE OF CAL	ISUMER AFFAIRS
10	STATE OF CAL	AFORNIA
11	In the Matter of the Accusation Against:	Case No. CC 2006-96
12	DAVID W. MURIS, O.D.	OAH No.
13	1111 Howe Avenue, Suite 235 Sacramento, CA 95825	ACCUSATION
14	Certificate of Registration No. OPT 5059	
15 16	Respondent.	
17	Complainant alleges:	
18	PARTIE	<u>ES</u>
19	1. Taryn Smith (Complainant) b	rings this Accusation solely in her official
20	capacity as the Executive Officer of the State Board	of Optometry, Department of Consumer
21	Affairs.	
22	2. On or about April 24, 1969, tl	he State Board of Optometry issued
23	Certificate of Registration to Practice Optometry No	o. 5059 to David Muris (Respondent). The
24	license was in full force and effect at all times releva	ant to this Accusation and will expire on
25	November 30, 2007 unless renewed.	
26	JURISDICT	<u>rion</u>
27	3. This Accusation is brought before the State Board of Optometry (Board),	
28	Department of Consumer Affairs, under the authorit	y of the following laws. All section

references are to the Business and Professions Code unless otherwise indicated. Section 118, subdivision (b), of the Code provides that the expiration of a 3 license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated. 5 Section 3090 of the Code states: 6 "Except as otherwise provided by law, the board may take action against all persons guilty of violating this chapter or any of the regulations adopted by the board. The board shall enforce and administer this article as to license holders, and the board shall have all the powers granted in this chapter for 8 these purposes, including, but not limited to, investigating complaints from the public, other licensees, health care facilities, other licensing agencies, or any other source suggesting that an optometrist may be guilty of violating this chapter or any of the regulations adopted by the board." 10 STATUTORY PROVISIONS 11 6. Section 480 of the Code states, in pertinent part: 12 "(a) A board may deny a license regulated by this code on the grounds that the 13 applicant has one of the following: 14 15 "(2) Done any act involving dishonesty, fraud or deceit with the intent to 16 substantially benefit himself or another, or substantially injure another. 17 18 Section 651 of the Code states, in pertinent part: 19 "(a) It is unlawful for any person licensed under this division or under any initiative act referred to in this division to disseminate or cause to be 20 disseminated any form of public communication containing a false, fraudulent, 21 misleading, or deceptive statement, claim, or image for the purpose of or likely to induce, directly or indirectly, the rendering of professional services or furnishing 22 of products in connection with the professional practice or business for which he or she is licensed. A 'public communication' as used in this section includes, but is not limited to, communication by means of mail, television, radio, motion 23 picture, newspaper, book, list or directory of healing arts practitioners, Internet, or other electronic communication. 24 25 "(b) A false, fraudulent, misleading, or deceptive statement, claim, or image includes a statement or claim that does any of the following: 26 "(1) Contains a misrepresentation of fact. 27 "(2) Is likely to mislead or deceive because of a failure to disclose material facts. 28

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"(3)(A) Is intended or is likely to create false or unjustified expectations of favorable results, including the use of any photograph or other image that does not accurately depict the results of the procedure being advertised or that has been altered in any manner from the image of the actual subject depicted in the photograph or image.

"(B) Use of any photograph or other image of a model without clearly stating in a prominent location in easily readable type the fact that the photograph or image is of a model is a violation of subdivision (a). For purposes of this paragraph, a model is anyone other than an actual patient, who has undergone the procedure being advertised, of the licensee who is advertising for his or her services.

"(C) Use of any photograph or other image of an actual patient that depicts or purports to depict the results of any procedure, or presents 'before' and 'after' views of a patient, without specifying in a prominent location in easily readable type size what procedures were performed on that patient is a violation of subdivision (a). Any 'before' and 'after' views (i) shall be comparable in presentation so that the results are not distorted by favorable poses, lighting, or other features of presentation, and (ii) shall contain a statement that the same 'before' and 'after' results may not occur for all patients.

"(4) Relates to fees, other than a standard consultation fee or a range of fees for specific types of services, without fully and specifically disclosing all variables and other material factors.

"(5) Contains other representations or implications that in reasonable probability will cause an ordinarily prudent person to misunderstand or be deceived.

"(6) Makes a claim either of professional superiority or of performing services in a superior manner, unless that claim is relevant to the service being performed and can be substantiated with objective scientific evidence.

"(7) Makes a scientific claim that cannot be substantiated by reliable, peer reviewed, published scientific studies.

"(8) Includes any statement, endorsement, or testimonial that is likely to mislead or deceive because of a failure to disclose material facts.

"(c) Any price advertisement shall be exact, without the use of phrases, including, but not limited to, 'as low as,' 'and up,' 'lowest prices,' or words or phrases of similar import. Any advertisement that refers to services, or costs for services, and that uses words of comparison shall be based on verifiable data substantiating the comparison. Any person so advertising shall be prepared to provide information sufficient to establish the accuracy of that comparison. Price advertising shall not be fraudulent, deceitful, or misleading, including statements or advertisements of bait, discount, premiums, gifts, or any statements of a similar nature. In connection with price advertising, the price for each product or service shall be clearly identifiable. The price advertised for products shall include charges for any related professional services, including dispensing and fitting services, unless the advertisement specifically and clearly indicates otherwise.

"(g) Any violation of this section by a person so licensed shall constitute good cause for revocation or suspension of his or her license or other disciplinary action.

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8. Section 3106 of the Code states:

"Knowingly making or signing any certificate or other document directly or indirectly related to the practice of optometry that falsely represents the existence or nonexistence of a state of facts constitutes unprofessional conduct."

9. Section 3110 of the Code states in pertinent part:

"The board may take action against any licensee who is charged with unprofessional conduct, and may deny an application for a license if the applicant has committed unprofessional conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not limited to, the following:

"(a) Violating or attempting to violate, directly or indirectly assisting in or abetting the violation of, or conspiring to violate any provision of this chapter or any of the rules and regulations adopted by the board pursuant to this chapter.

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"(d) Incompetence.

"(e) The commission of fraud, misrepresentation, or any act involving dishonesty or corruption, that is substantially related to the qualifications, functions, or duties of an optometrist.

"(f) Any action or conduct that would have warranted the denial of a license.

"(g) The use of advertising relating to optometry that violates Section 651 or 17500.

"

10. Section 17500 of the Code states:

It is unlawful for any person, firm, corporation or association, or any employee thereof with intent directly or indirectly to dispose of real or personal property or to perform services, professional or otherwise, or anything of any nature whatsoever or to induce the public to enter into any obligation relating thereto, to make or disseminate or cause to be made or disseminated before the public in this state, or to make or disseminate or cause to be made or disseminated from this state before the public in any state, in any newspaper or other publication, or any advertising device, or by public outcry or proclamation, or in any other manner or means whatever, including over the Internet, any statement, concerning that real or personal property or those services, professional or otherwise, or concerning any circumstance or matter of fact connected with the

proposed performance or disposition thereof, which is untrue or misleading, and which is known, or which by the exercise of reasonable care should be known, to be untrue or misleading, or for any person, firm, or corporation to so make or disseminate or cause to be so made or disseminated any such statement as part of a plan or scheme with the intent not to sell that personal property or those services, professional or otherwise, so advertised at the price stated therein, or as so advertised. Any violation of the provisions of this section is a misdemeanor punishable by imprisonment in the county jail not exceeding six months, or by a fine not exceeding two thousand five hundred dollars (\$2,500), or by both that imprisonment and fine.

COSTS

11. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

FACTUAL SUMMARY

- 12. From approximately 2000 until November, 2006, Respondent was a part owner of Vision Improvement Technologies, Inc. (hereinafter "VIT"), a corporation which marketed a system of eye improvement exercises called the "See Clearly Method." VIT marketed the See Clearly Method nationwide, including to California consumers, via television, radio, the internet and other media.
- 13. Respondent contributed to the development of the See Clearly Method and actively participated in its marketing. Respondent's name and a photograph of Respondent were prominently displayed on the VIT website along with a description identifying Respondent as a co-creator of the See Clearly Method.
- 14. The See Clearly Method consists primarily of eye exercises and is based, in part, on the theories of William Horatio Bates, the creator of the "Bates Method" of eye exercises in the early 1900's. The Bates Method, which has been thoroughly discredited in the scientific community, was based on a belief that eye exercises could strengthen the muscles in the eye that control the focusing process.
- 15. In marketing the See Clearly Method to consumers, Respondent and VIT made Claims that the use of this method would result in improvements in vision which would

result in users being able to see without glasses.

Method is grounded in science and clinical research. The method's instruction manual, which consumers were urged to review in deciding whether to keep (and pay for) the kit or return it, contained a letter signed by Respondent. The letter claims that Respondent and his colleagues have "dedicated their professional lives to bringing this groundbreaking knowledge to the world and to you." The letter discusses the academic achievements of Respondent's colleagues and their scientific research, and states:

And now, finally, after decades of research and clinical experience, their effort to bring out this knowledge of how to improve your vision naturally are paying off. Tens of thousands of people are now taking charge of the health and well-being of one of their most precious gifts, the gift of sight. Now it is your turn.

17. An additional letter signed by Respondent was provided with the See Clearly Method when it was sent to consumers for their consideration. This letter states, in pertinent part:

My colleagues and I, a team of optometrists and research scientists, developed the See Clearly Method for people just like you who want to improve their vision, the health of their eyes, and their overall well-being. We believe that healthy eyes are among life's most precious gifts, and with serious eye disease reaching epidemic proportions, we've devoted our lives to bringing this knowledge to others.

- 18. In describing to consumers the research that had been conducted regarding the See Clearly Method, Respondent failed to disclose the fact that the See Clearly Method is not accepted in the scientific community or supported by peer reviewed scientific studies.

 Respondent described his own clinical evaluation of the See Clearly Method, but failed to disclose material facts about the study that tend to undermine the study's reliability. These facts include:
 - a. The evaluation was a preliminary clinical evaluation only;
- b. Respondent, a part owner of VIT, was one of the two people who performed the evaluation;
 - c. The evaluation was limited to individuals with minor vision problems;

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	# 발생님이가 하는 점이 생물들이다. 이렇게 되어 되었습니다. 그리는 이 15등 그렇게 한 문에 불어지다고 하는 이렇게 하는 것이다. 그 그 그는
. 1	d. Participants in the study attended weekly seminars that are not part of the
2	See Clearly Method; and
3	e. Results were reported only as to the 21 people who appeared at a final eye
4	exam at the end of the six-week study.
5	FIRST CAUSE FOR DISCIPLINE
6	(Acts Involving Dishonesty, Fraud or Deceit)
7	19. Respondent is subject to disciplinary action under sections 480, 3110(e)
8	and 3110(f) of the Code in that he committed acts involving dishonesty, fraud or deceit, as set
. 9	forth above in paragraphs 12 through 18.
10	SECOND CAUSE FOR DISCIPLINE
11	(False, Fraudulent, or Misleading Advertising)
12	20. Respondent is subject to disciplinary action under sections 651(a), 651(g),
13	3110(g) and 17500 of the Code in that he engaged in false, fraudulent or misleading advertising,
14	as set forth above in paragraphs 12 through 18.
15	THIRD CAUSE FOR DISCIPLINE
16	(False Representation of State of Facts)
17	21. Respondent is subject to disciplinary action under section 3106 of the
18	Code in that he knowingly made or signed documents directly related to the practice of
19	optometry that falsely represent the existence of a state of facts, as set forth above in paragraphs
20	12 through 18.
21	FOURTH CAUSE FOR DISCIPLINE
22	(Incompetence)
23	22. Respondent is subject to disciplinary action under section 3110(d) of the
24	Code in that he acted incompetently, as set forth above in paragraphs 12 through 18.
25	FIFTH CAUSE FOR DISCIPLINE
26	(Unprofessional Conduct)
27	23. Respondent is subject to disciplinary action under section 3110 of the Code
28	in that he acted unprofessionally, as set forth above in paragraphs 12 through 18.

PRAYER WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the State Board of Optometry issue a decision: Revoking or suspending License Number OPT 5059, issued to David Muris; .5 2. Ordering David Muris to pay the State Board of Optometry the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; Taking such other and further action as deemed necessary and proper. 9 10 DATED: Aug 22, 200 11 12 13 14 Executive Officer State Board of Optometry 15 Department of Consumer Affairs State of California 16 Complainant 17 18 19 20 21 22 23 24 25 26 27

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